federal register

Monday
June 30, 1980

Part IV

Environmental Protection Agency

Improving Government Regulations; Agenda of Regulations

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Ch. I

[FRL No. 1527-2]

Improving Government Regulations; Agenda of Regulations

AGENCY: Environmental Protection Agency.

ACTION: Agenda of regulations.

SUMMARY: The Agency periodically publishes an Agenda of Regulations that summarizes significant regulations under development. The purpose is to keep interested parties informed of the progress of these regulations. The Agenda includes new regulations, existing regulations that the Agency is reviewing or revising, and also certain non-regulatory actions which the Agency believes are important enough to be listed. Two appendices include (1) the expanded descriptions of selected major regulations which appeared in the Regulatory Council's *Calendar of Federal Regulations* and (2) the results of EPA's screening of existing regulations for possible review or revision.

FOR FURTHER INFORMATION CONTACT. For information on a regulation in the Agenda, please contact the person listed next to the regulation.

We have tried to change this Agenda in response to comments on our previous Agenda. If you have further suggestions for improving this publication, or need general information about the Agenda, please call or write to David Sahr, Regulation Management Staff, Environmental Protection Agency, PM-223, Washington, D.C. 20460 (202) 287-0776.

If you want to be on the mailing list for the Agenda of Regulations, please call or write to Penelope Parker, Regulation Management Staff, Enviornmental Protection Agnecy, PM-223, Washington, D.C. 20460, (202) 287-0783.

SUPPLEMENTARY INFORMATION:

Background

On March 23, 1978, President Carter signed Executive Order 12044, *Improving Government Regulations,* which establishes certain procedures that executive agencies must follow in developing their regulations. One of these procedures is publishing an agenda of the significant regulations that the agency has under development. EPA published its most recent Agenda of Regulations on March 14, 1980, 45 FR 16832. EPA will publish its next Agenda in December 1980, and thereafter on a semi-annual basis.

Regulations Covered in the Agenda

We have attempted to inlcude all significant regulations which the Agency is currently developing. Regulations enter this development process when the Assistant Administrator for a program office, for instance, our Office of Air, Noise and Radiation, sends a Start Action Notice (SAN) to senior management. This notice informs the rest of the Agency that the program office is starting work on a new regulation. If the new regulation is classified significant, it will appear in the Agenda.

The Agenda inlcudes all regulations which are scheduled for publication as a proposal or final rule within the coming year. Where possible, it also includes regulations with scheduled actions that are more than a year away. In addition, it includes actions which are *not* regulations, but which nontheless represent major policy decisions, such as policy statements or Agency guidelines.

Regulations that appeared in our last Agenda but that are no longer under consideration (usually because they have been published as final regulations) appear in a separate section at the end of the Agenda. They will be deleted from future Agendas.

A total of 207 regulation entries appear in this Agenda. An additional ten entries appear in the section of regulations to be deleted from the Agenda. Approximately 40% of the entries in this Agenda are for changes to existing regulations rather than for completely new regulations.

Agency Classification of Regulations

EPA's system for classifying regulations is described in detail in *Improving Environmental Regulations; Final Report Implementing Executive Order 12044, 44 FR 30988 (May 29, 1979). The Agency assumes that all regulations are significant, unless they are:*

(1) Administrative or procedureal in nature;

(2) Minor amendements to existing regulations;

(3) Regulatory actions resulting from highly specific Congressional mandates that leave EPA no discretion to evaluate alternatives (e.g., deadline changes);

(4) EPA actions or regulations developed by State and local governments (such as State Implementation Plans); or

(5) Pesticide tolerances and regulations to exempt pesticides from the provisions of the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA).

The Agency further divides significant regulations into routine and major regulations. Major regulations are those that are likely to have substantial impact in any of several areas, including health, ecology, the economy, particular communities or regions, and the activities of other Federal and State agencies. Major regulations receive extra attention from the Agency's senior management. Of the regulations in this Agenda, 50 are major and 144 are routine. Some significant regulations (three in all) have been designated unclassified. We will change them to major or routine when they have advanced further in the regulation development process.

Important policy statements and other non-regulatory actions which appear in the Agenda are not classified as either major or routine. Instead, they are classified according to the type of action involved. The three classifications for these kinds of actions are: (1) Policy Statements, (2) Guidance and (3) Listings. Included in these three categories are the following actions:

- Listing of Coke Oven Emissions as a Hazardous Air Pollutant under Section 112 of the Clean Air Act
- Policy and Procedures for Regulating Airborne Carcinogens
- State Enforcement of Pesticide Violations—Policy Statement
- Guidance for Occupational Radiation Exposure
- Transuranic Elements Guidance
- Environmental Criteria for Disposal of Radioactive Wastes
- Protective Action Guidance for Accidental Airborne Releases of Radioactivity
- Radiofrequency Radiation Guidance
- Quality Criteria for Water
- Policy on Public Participation

Explanation of Information in the Regulatory Agenda

There are four columns of information for each entry in the Agenda.

The *first* column contains the title, the Start Action Notice (SAN) number, and the docket number of the regulation. The Agency assigns the SAN number to a new significant regulation when the program office begins work on it. The SAN number prevents confusion if the title of a regulation changes, or if there are other similarly-titled regulations. For those regulations which have them, the docket number is useful in getting access to files on the regulation that are open to the public. If a bullet "•" precedes the title of the regulation, additional information on that regulation appears in Appendix I, which consists of the descriptions of selected

major regulations prepared for the *Calendar of Federal Regulations* published by the Regulatory Council in the **Federal Register.**

The *second* column contains most of the descriptive information on the regulation. It includes entries under the following categories:

Description: This entry describes the problem addressed by the regulation and explains the need for the regulation.

CFR Changes: This entry identifies the part or subpart where the final regulation will appear, in volume 40 of the Code of Federal Regulations (CFR). In some cases, it also specifies how the regulation will change an already existing subpart (revising the subpart, adding to it, or deleting from it.)

Statutory Authority: This entry lists the sections of the statutes that authorize the regulation. It also lists the sections from the United States Code where the statutes are codified. (See the section below entitled "Summary of Contents" for abbreviations of the titles of the statutes.)

Classification: This entry identifies significant regulations as "major" or "routine". Non-regulatory actions are classified as policy statements, guidance, or listings. (For explanation of these terms see the section above on "Agency Classification of Regulations."

Analysis: EPA prepares a standard economic analysis for *all* significant regulations. This entry indicates whether the Agency plans to perform any additional special analyses, *i.e.* a Regulatory analysis, an Urban and Community Impact Analysis (UCIA), or an Environmental Impact Statement (EIS). We have dropped this category for those regulations for which we will not prepare any of the three special analyses.

The *third* column lists the person at EPA to contact for additional information on the regulation.

The *fourth* column lists documents published in the **Federal Register** in connection with the regulation, and provides the timetable for future actions. Published documents include: (i) The Advance Notice of Proposed Rulemaking, which describes the purpose of the proposed action and the issues and alternatives which the Agency will consider; (ii) The Notice of Proposed Rulemaking, which is the regulation which the Agency proposes to publish; and (iii) The Final Rule. In many cases, the timetable for future actions is only tentative.

The Agenda uses the following abbreviations:

Advance Notice of Proposed Rulemaking.....ANPRM
Notice of Proposed Rulemaking.....NPRM
Notice of Reproposal.....RPRM
Interim Final Rule.....IFR
Final Rule.....FR

Organization of the Agenda

The Agenda lists regulations by the titles we give to our major pollution control program areas, e.g., air, water quality, solid wastes. Within each program area the regulations are ordered numerically by section number of the authorizing legislation. For example, all air regulations under Section 109 of the Clean Air Act will appear before those under Section 111. The program areas and their authorizing legislative acts appear in the "Summary of Contents" below.

Summary of Contents

Program area	Legislation
Air	The Clean Air Act (CAA).
	The Energy Policy and Conservation Act (EPCA).
Drinking water	The Safe Drinking Water Act (SDWA).
Noise	The Noise Control Act (NCA).
Pesticides	The Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA).
	The Food, Drug and Cosmetics Act (FDCA).
Radiation	The Atomic Energy Act (AEA).
	The Uranium Mill Tailings Radiation Control Act (UMTRCA).
Solid Waste	The Resource Conservation and Recovery Act (RCRA).
Toxic substances	The Toxic Substances Control Act (TSCA).
Water	The Clean Water Act (CWA).
	The Marine Protection, Research, and Sanctuaries Act (MPRSA).
General	The National Historic Preservation Act and Executive Order 12114.

Regulations Deleted From the Previous Agenda

After listing all significant regulations currently under consideration, the Agenda lists all the regulations that appeared in the last Agenda but that are now no longer under consideration. These regulations will not appear in our next Agenda.

The information given on these regulations is less detailed than for those still under consideration. Generally, it includes the date and **Federal Register** citation, if any, of the last action on the regulation, and explains why the Agency is deleting the regulation from the Agenda. The explanation is usally that the regulation has been completed.

Reviews of Existing Regulations

The Agency reviews many of its regulations under statutory or judicial mandate. A large proportion of the regulation entries in this Agenda are actions to satisfy these requirements. In addition, EPA is conducting a comprehensive review of existing regulations not subject to statutory or judicial mandate, as required under Executive Order 12044. These reviews comprise the Agency's Regulation Screening Project.

This Agenda includes significant regulations which EPA has begun to revise as a result of the Screening Project. Future Agendas will include other regulations which the Agency decides to revise as a result of its Screening Project. EPA's normal requirements under Executive Order 12044 will apply to these regulations.

Appendix II consists of a list of regulations we have screened, as well as the recommendations which resulted from the screening.

Henry E. Beal,

Director, Standards and Regulations Division.

BILLING CODE 6560-01-M

SIGNIFICANT EPA REGULATIONS UNDER CONSIDERATION

Title	Summary	Contact	Timetable
	AIR		

The goal of the Clean Air Act is to protect the public health and welfare from the harmful effects of air pollution. To achieve the goal, EPA develops national ambient air quality standards and the States adopt State Implementation Plans (SIP) to meet these standards. States are also required, pursuant to EPA regulations, to develop plans to prevent significant deterioration of air quality in areas where the ambient standards have been attained and to enhance visibility.

EPA also develops New Source Performance Standards (NSPS) under CAA 111 and National Emission Standards for Hazardous Air Pollutants (NESHAPS) under CAA 112 to control emissions from stationary sources of air pollution.

We have already or are now developing the items below under the authority of Sections 108 and 109 of the Clean Air Act (CAA), which directs the Administrator to establish National Ambient Air Quality Standards (NAAQS). To write a NAAQS for a pollutant, we first prepare a criteria document, which contains the latest scientific knowledge on the kind and extent of public health and welfare problems caused by the pollutants in the air. If we revise the criteria document, we may find it necessary to change the NAAQS.

A National Primary Ambient Air Quality Standard defines the maximum amount of an air pollutant which in the judgment of the Administrator provides an adequate margin of safety to protect the public health. A National Secondary Ambient Air Quality Standard defines levels of air quality which the Administrator judges necessary to protect the public welfare from any known or anticipated adverse effects of a pollutant.

• *Review of NAAQS for Carbon Monoxide* (SAN No. 1001)	A. **Description**: This rule reviews the health basis for control of this pollutant. This task involves preparation of an updated criteria document and an analysis of whether or not EPA should revise the standard. B. **Classification**: Major. C. **Statutory Authority**: CAA 108; 42 USC 7408. D. **CFR Change**: Revision to 40 CFR 50. E. **Analysis**: EIS, UCIA, REG. ANALYSIS.	Joe Padgett EPA (MD-12) Research Triangle Park, NC 27711 FTS: 8-629-5204 Comm: 919-541-5204	NPRM: Summer 1980 FR: Fall 1980
• *Review of NAAQS for Nitrogen Dioxide* (SAN No. 1004)	A. **Description**: The NAAQS for nitrogen dioxide is undergoing review. Under the CAA amendments, the decision of whether or not to revise the standard must address both the short-term and long-term effects of nitrogen dioxide and other nitrogen species in the air, particularly nitrates and nitric acid aerosol. B. **Classification**: Major. C. **Statutory Authority**: CAA 108; 42 USC 7408. D. **CFR Change**: 40 CFR 50. E. **Analysis**: EIS, UCIA, REG. ANALYSIS.	Joe Padgett EPA (MD-12) Research Triangle Park, NC 27711 FTS: 8-629-5204 Comm: 919-541-5204	NPRM: Spring 1980 FR: Fall 1981
Incorporation of Lead into Part 58 Air Monitoring Regulations (SAN No. 1500 Docket No. OAQPS 77-1)	A. **Description**: This rule will set forth monitoring regulations reflecting the lead national ambient air quality standard. B. **Classification**: Routine. C. **Statutory Authority**: CAA 108, 110; 42 USC 7408, 7410. D. **CFR Changes**: Revision to 40 CFR 58. E. **Analysis**: EIS.	Bob Neligan EPA (MD-14) Research Triangle Park, NC 27711 FTS: 8-629-5447 Comm: 919-541-5447	NPRM: 7/80 FR: 3/81
• *Review of NAAQS for Sulfur Dioxide* (SAN No. 1002)	A. **Description**: A review of the health basis for control of this pollutant will require preparation of an updated criteria document and an analysis of whether or not EPA should revise the standard. B. **Classification**: Major. C. **Statutory Authority**: CAA 109; 42 USC 7409. D. **CFR Change**: Revision to 40 CFR 50. E. **Analysis**: EIS, UCIA, REG. ANALYSIS.	Joe Padgett EPA (MD-12) Research Triangle Park, NC 27711 FTS: 8-629-5204 Comm: 919-541-5204	NPRM: Fall 1980 FR: Spring 1981
• *Review of NAAQS for Particulate Matter* (SAN No. 1003)	A. **Description**: A review of the health basis for control of this pollutant will require preparation of an updated criteria document and an analysis of whether or not EPA should revise the standard. B. **Classification**: Major. C. **Statutory Authority**: CAA 108; 42 USC 7409 D. **CFR Change**: Revision to 40 CFR 50. E. **Analysis**: EIS, UCIA, REG. ANALYSIS.	Joe Padgett EPA (MD-12) Research Triangle Park, NC 27711 FTS: 8-629-5204 Comm: 919-541-5204	NPRM: Fall 1980 FR: Spring 1981

SIGNIFICANT EPA REGULATIONS UNDER CONSIDERATION—Continued

Title	Summary	Contact	Timetable
	AIR—Continued		
Restructure CFR Parts 51, 52 (SAN No. 1503)	A. **Description**: This rule will update and make consistent Part 51 and restructure Part 52 on State Implementation Plans. No substantive changes will result. This change will streamline the rules and improve the language and organization. B. **Classification**: Routine. C. **Statutory Authority**: CAA 110; 42 USC 7410. D. **CFR Change**: Revision to 40 CFR 51, 52.	Richard Rhoads EPA (MD-12) Research Triangle Park, NC 27711 FTS: 8-629-5251 Comm: 919-541-5251	NPRM: 11/80 FR: 7/81
Continuous Monitoring (SAN No. 1613)	A. **Description**: This regulation revises performance specifications for continuous monitors applied to air pollution sources, including monitors for opacity, sulfur dioxide, nitrogen oxide, carbon monoxide and ozone. B. **Classification**: Routine. C. **Statutory Authority**: CAA 110(a); 42 USC 7410(a). D. **CFR Change**: Revision to 40 CFR 60	Roger Sagehara EPA (MD-13) Research Triangle Park, NC 27711 FTS: 8-629-2237 Comm: 919-541-2237	NPRM: 44FR58602 (10/10/79) FR: 7/80
Minimum Requirements for Stationary Air Operating Permits (SAN No. 1520)	A. **Description**: This rule will specify minimum requirements for State operating permit programs. B. **Classification**: Routine. C. **Statutory Authority**: CAA 110(a)(2)(D); 42 USC 7410 (a)(2)(D). D. **CFR Change**: 40 CFR 51.	Robert L. King EPA (EN-341) Washington, DC 20460 FTS: 8-755-2582 Comm: 202-755-2582	NPRM: 4/81 FR: 1/82
EPA is developing performance standards to control emissions from the following industries under Section 111(b) of the CAA. This section requires that the Administrator develop and periodically update New Source Performance Standards (NSPS) for stationary sources which significantly contribute to air pollution. The NSPS are based on the best systems demonstrated to reduce emissions continually, taking into account costs and energy requirements. The standards will apply to both new sources and existing sources which are modified after approval of the regulation.			
NSPS: Glass Manufacturing (SAN No. 1007, Docket No. OAQPS 79-2)	A. **Description**: This regulation addresses the problem of particulate emissions from new glass manufacturing furnaces. The Governor of New Jersey requested that EPA develop national standards. B. **Classification**: Routine. C. **Statutory Authority**: CAA 111; 42 USC 7411 D. **CFR Change**: 40 CFR 60. E. **Analysis**: EIS.	Don Goodwin EPA (MD-13) Research Triangle Park, NC 27711 FTS: 8-629-5271 Comm: 919-541-5271	NPRM: 44FR34840 (6/15/79) FR: 7/80
NSPS: Internal Combustion Engines (SAN No. 1008, Docket No. OAQPS 79-5)	A. **Description**: These regulations will require the application of best demonstrated technology to control nitrogen oxide emissions from stationary internal combustion engines. B. **Classification**: Routine. C. **Statutory Authority**: CAA 111;42 USC 7411. D. **CFR Change**: 40 CFR 60. E. **Analysis**: EIS.	Don Goodwin EPA (MD-13) Research Triangle Park, NC 27711 FTS: 8-629-5271 Comm: 919-541-5271	NPRM: 44FR43173 (7/23/79) FR: 9/80
NSPS: Non-Metallic Mineral Operations (SAN No. 1009)	A. **Description**: This regulation will control particulate emissions from quarrying operations and related facilities. B. **Classification**: Routine. C. **Statutory Authority**: CAA 111; 42 USC 7411. D. **CFR Change**: 40 CFR 60. E. **Analysis**: EIS.	Don Goodwin EPA (MD-13) Research Triangle Park, NC 27711 FTS: 8-629-5271 Comm: 919-541-5271	NPRM: 6/80 FR: 4/81
NSPS: Organic Solvent Cleaners (SAN No. 1010, Docket No. OAQPS 78-12)	A. **Description**: This rule will control evaporative emissions from metal cleaning and degreasing operations. It will also require States to act under section 111(d) to control some specific solvent emissions from existing sources. B. **Classification**: Routine. C. **Statutory Authority**: CAA 111; 42 USC 7411 D. **CFR Change**: 40 CFR 60. E. **Analysis**: EIS.	Don Goodwin EPA (MD-13) Research Triangle Park, NC 27711 FTS: 8-629-5271 Comm: 919-541-5271	NPRM: 6/80 FR: 1/81

SIGNIFICANT EPA REGULATIONS UNDER CONSIDERATION—Continued

Title	Summary	Contact	Timetable
	AIR—Continued		
NSPS: Industrial Surface Coating: Automobile Assembly Plants (SAN No. 1111)	A. **Description**: This regulation will control volatile organic compound emissions from coating operations in the auto and light-truck industries. B. **Classification**: Routine. C. **Statutory Authority**: CAA 111; 42 USC 7411. D. **CFR Change**: 40 CFR 60. E. **Analysis**: EIS.	Don Goodwin EPA (MD-13) Research Triangle Park, NC 27711 FTS: 8-629-5271 Comm: 919-541-5271	NPRM: 44FR57792 (10/5/79) FR: 9/80
NSPS: Synthetic Organic Chemical Manufacturing—Fugitive Emissions (SAN No. 1112)	A. **Description**: This rule will control fugitive emissions from the manufacture of organic chemicals. There will be other synthetic organic chemical manufacturing standards. The first process standard is scheduled for proposal in January '81. B. **Classification**: Routine. C. **Statutory Authority**: CAA 111; 42 USC 7411. D. **CFR Change**: 40 CFR 60. E. **Analysis**: EIS.	Don Goodwin EPA (MD-13) Research Triangle Park, NC 27711 FTS: 8-629-5271 Comm: 919-541-5271	NPRM: 9/80 FR: 7/81
NSPS: Industrial Surface Coating: Cans (SAN No. 1113)	A. **Description**: This regulation will establish emission standards for volatile organic emissions from can-coating operations. B. **Classification**: Routine. C. **Statutory Authority**: CAA 111; 42 USC 7411. D. **CFR Change**: 40 CFR 60. E. **Analysis**: EIS.	Don Goodwin EPA (MD-13) Research Triangle Park, NC 27711 FTS: 8-629-5271 Comm: 919-541-5271	NPRM: 9/80 FR: 7/81
NSPS: Industrial Surface Coating: Pressure Sensitive Tapes and Labels (SAN No. 1114, Docket No. A-79-38)	A. **Description**: This regulation will establish emission standards for volatile organic emissions from pressure-sensitive tapes and labels coating operations. B. **Classification**: Routine. C. **Statutory Authority**: CAA 111; 42 USC 7411. D. **CFR Change**: 40 CFR 60. E. **Analysis**: EIS.	Don Goodwin EPA (MD-13) Research Triangle Park, NC 27711 FTS: 8-629-5271 Comm: 919-541-5271	NPRM: 6/80 FR: 5/81
NSPS: Industrial Surface Coating. Metal Furniture (SAN No. 1115)	A. **Description**: This regulation will establish emission standards for volatile organic emissions from metal furniture operations. B. **Classification**: Routine. C. **Statutory Authority**: CAA 111; 42 USC 7411. D. **CFR Change**: 40 CFR 60. E. **Analysis**: EIS.	Don Goodwin EPA (MD-13) Research Triangle Park, NC 27711 FTS: 8-629-5271 Comm: 919-541-5271	NPRM: 6/80 FR: 4/81
NSPS: Industrial Suface Coating: Metal Coils (SAN No. 1598)	A. **Description**: This rule will control emissions of volatile organic compounds from metal coil industrial surface coating operations. B. **Classification**: Routine. C. **Statutory Authority**: CAA 111; 42 USC 7411. D. **CFR Change**: 40 CFR 60. E. **Analysis**: EIS.	Don Goodwin EPA (MD-13) Research Triangle Park, NC 27711 FTS: 8-629-5271 Comm: 919-541-5271	NPRM: 9/80 FR: 7/81
NSPS: Industrial Surface Coating: Large Appliances (SAN No. 1599)	A. **Description**: This regulation will control volatile organic compounds emissions from industrial surface coating operations for large appliances. B. **Classification**: Routine. C. **Statutory Authority**: CAA 111; 42 USC 7411. D. **CFR Change**: 40 CFR 60. E. **Analysis**: EIS.	Don Goodwin EPA (MD-13) Research Triangle Park, NC 27711 FTS: 8-629-5271 Comm: 919-541-5271	NPRM: 9/80 FR: 7/81
NSPS: Lead-Acid Battery Manufacture (SAN No. 1116, Docket No. OAQPS 79-1)	A. **Description**: This regulation will establish standards for lead emissions from lead-acid battery manufacturing facilities. B. **Classification**: Routine. C. **Statutory Authority**: CAA 111; 42 USC 7411. D. **CFR Change**: 40 CFR 60. E. **Analysis**: EIS.	Don Goodwin EPA (MD-13) Research Triangle Park, NC 27711 FTS: 8-629-5271 Comm: 919-541-5271	NPRM: 45FR2790 (1/14/80) FR: 11/80

SIGNIFICANT EPA REGULATIONS UNDER CONSIDERATION—Continued

Title	Summary	Contact	Timetable
	AIR—Continued		
NSPS: Phosphate Rock Operations (SAN No. 1118, Docket No. OAQPS 79-6)	A. Description: This regulation will control the emission of particulate matter from phosphate rock processes. B. Classification: Routine. C. Statutory Authority: CAA 111; 42 USC 7411. D. CFR Change: 40 CFR 60. E. Analysis: EIS.	Don Goodwin EPA (MD-13) Research Triangle Park, NC 27711 FTS: 8-629-5271 Comm: 919-541-5271	NPRM: 44FR62914 (11/1/79) FR: 10/80
NSPS: Percloroethylene Dry Cleaning (SAN No. 1119, Docket No. A-79-30)	A. Description: This regulation will control hydrocarbon emissions from dry cleaning establishments. B. Classification: Routine. C. Statutory Authority: CAA 111; 42 USC 7411. D. CFR Change: 40 CFR 60. E. Analysis: EIS.	Don Goodwin EPA (MD-13) Research Triangle Park, NC 27711 FTS: 8-629-5271 Comm: 919-541-5271	NPRM: 6/80 FR: 4/81
NSPS: Publication Rotogravure Printing (SAN No. 1120)	A. Description: This regulation will control emissions of volatile organic compounds from large-scale rotogravure printing operations. B. Classification: Routine. C. Statutory Authority: CAA 111; 42 USC 7411. D. CFR Change: 40 CFR 60. E. Analysis: EIS.	Don Goodwin EPA (MD-13) Research Triangle Park, NC 27711 FTS: 8-629-5271 Comm: 919-541-5271	NPRM: 7/80 FR: 5/81
• *NSPS: Industrial Boilers* (SAN No. 1586)	A. Description: This regulation will establish standards of performance for industrial boilers. EPA will base the emission standards upon the best system—given costs—of continuous emission reduction. B. Classification: Major. C. Statutory Authority: CAA 111; 42 USC 7411. D. CFR Change: 40 CFR 60. E. Analysis: EIS, REG. ANALYSIS.	Don Goodwin EPA (MD-13) Research Triangle Park, NC 27711 FTS: 8-629-5271 Comm: 919-541-5271	NPRM: 3/81 FR: 3/82
NSPS: Ammonium Sulfate Production (San No. 1587, Docket No. A-79-31)	A. Description: This rule will control particulate emissions from the production of ammonium sulfate. B. Classification: Routine. C. Statutory Authority: CAA 111; 42 USC 7411. D. CFR Change: 40 CFR 60. E. Analysis: EIS.	Don Goodwin EPA (MD-13) Research Triangle Park, NC 27711 FTS: 8-629-5271 Comm: 919-541-5271	NPRM: 45FR7758 (2/4/80) FR: 11/80
NSPS: Ammonium Nitrate Fertilizer Production (SAN No. 1588)	A. Description: This rule will control particulate emissions from production of ammonium nitrate fertilizer. B. Classification: Routine. C. Statutory Authority: CAA 111; 42 USC 7411 D. CFR Change: 40 CFR 60. E. Analysis: EIS.	Don Goodwin EPA (MD-13) Research Triangle Park, NC 27711 FTS: 8-629-5271 Comm: 919-541-5271	NPRM: 4/81 FR: 3/82
NSPS: Bulk Gasoline Terminals (SAN No. 1589, Docket No. OAQPS 78-2)	A. Description: This rule will control volatile organic compound emissions from gasoline distribution operations. B. Classification: Routine. C. Statutory Authority: CAA 111; 42 USC 7411 D. CFR Change: 40 CFR 60. E. Analysis: EIS.	Don Goodwin EPA (MD-13) Research Triangle Park, NC 27711 FTS: 8-629-5271 Comm: 919-541-5271	NPRM: 10/80 FR: 9/81
NSPS: Sodium Carbonate Manufacture (SAN No. 1590)	A. Description: This regulation will control particulate emissions from production of sodium carbonate. B. Classification: Routine. C. Statutory Authority: CAA 111; 42 USC 7411. D. CFR Change: 40 CFR 60. E. Analysis: EIS.	Don Goodwin EPA (MD-13) Research Triangle Park, NC 27711 FTS: 8-629-5271 Comm: 919-541-5271	NPRM: 8/80 FR: 4/81

SIGNIFICANT EPA REGULATIONS UNDER CONSIDERATION—Continued

Title	Summary	Contact	Timetable
	AIR—Continued		
NSPS: Asphalt Roofing Manufacture (SAN No. 1591, Docket No. A-79-39)	A. **Description**: This rule will control particulate emissions from the manufacture of asphalt roofing. B. **Classification**: Routine. C. **Statutory Authority**: CAA 111; 42 USC 7411. D. **CFR Change**: 40 CFR 60. E. **Analysis**: EIS.	Don Goodwin EPA (MD-13) Research Triangle Park, NC 27711 FTS: 8-629-5271 Comm: 919-541-5271	NPRM: 6/80 FR: 5/81
NSPS: Urea Production (SAN No. 1592)	A. **Description**: This rule will control particulate emissions from the production of urea. B. **Classification**: Routine. C. **Statutory Authority**: CAA 111; 42 USC 7411 D. **CFR Change**: 40 CFR 60. E. **Analysis**: EIS.	Don Goodwin EPA (MD-13) Research Triangle Park, NC 27711 FTS: 8-629-5271 Comm: 919-541-5271	NPRM: 4/81 FR: 3/82
NSPS: Non-Fossil Fuel Fired Boilers (SAN No. 1614, Docket No. A-79-22)	A. **Description**: This standard will control particulate emissions from combustion of wood, municipal solid waste, refuse derived fuels and bagasse. This standard will also control particulate emissions of the above when combined with fossil fuels. B. **Classification**: Routine. C. **Statutory Authority**: CAA 111; 42 USC 7411. D. **CFR Changes**: 40 CFR 60.	Don R. Goodwin EPA (MD-13) Research Triangle Park, NC 27711 FTS: 8-629-5271 Comm: 919-541-5271	NPRM 1/81 FR: 11/81
NSPS: Rubber Products Industry – Tire Manufacturing (SAN No. 1615, Docket No. A-80-9)	A. **Description**: This standard will control VOC (volatile organic compound) emissions from solvent application during undertread/sidewall cementing, tread end cementing, bead cementing and green tire coating in rubber tire manufacturing plants. B. **Classification**: Routine. C. **Statutory Authority**: CAA 111; 42 USC 7411. D. **CFR Changes**: 40 CFR 60.	Don R. Goodwin EPA (MD-13) Research Triangle Park, NC 27711 FTS: 8-629-5271 Comm: 919-541-5271	NPRM: 7/81 FR: 6/82
NSPS: Beverage Can Surface Coating Industry (SAN No. 1616, Docket No. A-80-4)	A. **Description**: These standards will limit VOC (volatile organic compounds) emission from new, modified, and reconstructed two and three piece beverage can and beverage can end surface coating facilities. The standards will cover base coat, varnish, inside coat, and end-seal operations. B. **Classification**: Routine. C. **Statutory Authority**: CAA 111; 42 USC 7411. D. **CFR Changes**: 40 CFR 60.	Don R. Goodwin EPA (MD-13) Research Triangle Park, NC 27711 FTS: 8-629-5271 Comm: 919-541-5271	NPRM: 9/80 FR: 7.81
NSPS: Electric Arc Furnaces in Ferrous Foundries (SAN No. 1617, Docket No. A-80-3)	A. **Description**: This standard will control particulate emissions from electric arc furnaces in ferrous foundries during the melting phase of the furnace operation. B. **Classification**: Routine. C. **Statutory Authority**: CAA 111; 42 USC 7411. D. **CFR Change**: 40 CFR 60.	Don R. Goodwin EPA (MD-13) Research Triangle Park, NC 27711 FTS: 8-629-5271 Comm: 919-541-5271	NPRM: 9/80 FR: 7/81
EPA is developing emission standards for hazardous air pollutants under section 112 of the CAA. This section requires that the Administrator develop National Emission Standards for Hazardous Air Pollutants (NESHAPS) for emissions that cause or contribute to air pollution which results in an increase in mortality or in serious or incapacitating illness. The standards will apply to both new sources and existing sources. The 1977 amendments extended the definition of air pollution to include radioactive substances. The Agency has listed radionuclides as a hazardous air pollutant and is developing regulations for radionuclides under section 112.			
NESHAPS: Benzene Fugitive Emissions (SAN No. 1126, Docket No. A-79-27)	A. **Description**: This regulation would limit benzene emissions from fugitive emission sources in benzene service in petroleum refining and organic chemical manufacturing industries. The standards would allow no detectable emissions due to leaks from safety release valves and product accumulator vessels, would require a regular detection and repair program, and certain equipment for pipeline valves, pumps, compressors, sampling connections and open-ended valves. Former title was Petroleum Refinery/Chemical Plant. B. **Classification**: Major. C. **Statutory Authority**: CAA 112; 42 USC 7412. D. **CFR Changes**: 40 CFR 61. E. **Analysis**: EIS.	Don R. Goodwin EPA (MD-13) Research Triangle Park, NC 27711 FTS: 8-629-5271 Comm. 919-541-5271	NPRM: 9/80 FR: 7/81

SIGNIFICANT EPA REGULATIONS UNDER CONSIDERATION—Continued

Title	Summary	Contact	Timetable
	AIR—Continued		
NESHAPS: Maleic Anhydride Manufacture (SAN No. 1127)	A. **Description**: This regulation will control the emission of benzene from process vents in the manufacture of maleic anhydride. B. **Classification**: Major. C. **Statutory Authority**: CAA 112; 42 USC 7412. D. **CFR Change**: 40 CFR 61. E. **Analysis**: EIS.	Don Goodwin EPA (MD-13) Research Triangle Park, NC 27711 FTS: 8-629-5271 Comm: 919-541-5271	NPRM: 45FR26660 (4/18/80) FR: 2/81
NESHAPS: Ethylbenzene/Styrene Manufacture (SAN No. 1128 & 1129, Docket No. A-79-49)	A. **Description**: This regulation will control the emission of benzene from process vents in the manufacture of ethylbenzene and styrene. B. **Classification**: Major. C. **Statutory Authority**: CAA 112; 42 USC 7412. D. **CFR Change**: 40 CFR 61. E. **Analysis**: EIS.	Don Goodwin EPA (MD-13) Research Triangle Park, NC 27711 FTS: 8-629-5271 Comm: 919-541-5271	NPRM: 8/80 FR: 6/81
NESHAPS: Benzene Storage (SAN No. 1593)	A. **Description**: This regulation will control benzene emissions resulting from the storage of pure benzene. B. **Classification**: Routine. C. **Statutory Authority**: CAA 112; 42 USC 7412. D. **CFR Change**: 40 CFR 61. E. **Analysis**: EIS.	Don Goodwin EPA (MD-13) Research Triangle Park, NC 27711 FTS: 8-629-5271 Comm: 919-541-5271	NPRM: 9/80 FR: 8/81
NESHAPS: Listing of Coke Oven Emissions as Hazardous Air Pollutant (SAN No. 1594)	A. **Description**: A health risk assessment of coke oven emissions is being conducted. If it is determined that these emissions are hazardous then they will be listed under section 112 as hazardous air pollutants and emission standards will be proposed. B. **Classification**: Listing. C. **Statutory Authority**: CAA 112; 42 USC 7412. D. **CFR Change**: 40 CFR 61.	Joe Padgett EPA (MD-12) Research Triangle Park, NC 27711 FTS: 8-629-5204 Comm: 919-541-5204	Listing: 9/80
NESHAPS: Airborne Radionuclides (SAN No. 1595, Docket No. A-79-11)	A. **Description**: This regulation will be the first of a series of regulations which place limits on the release of airborne radionuclides from those sources which pose a significant health risk to the general public. B. **Classification**: Major. C. **Statutory Authority**: CAA 112; 42 USC 7412. D. **CFR Change**: Addition to 40 CFR 61.	William Mills EPA (ANR-460) Washington, DC 20460 FTS: 8-557-0704 Comm: 703-557-0704	NPRM: 12/81 FR: 9/82
• *Policy and Procedures for Airborne Carcinogens*(SAN No. 1596)	A. **Description**: This regulation will establish the procedures to be used in identifying, assessing, and regulating substances in the air which increase the risk of cancer to the general population. B. **Classification**: Policy Statement. C. **Statutory Authority**: CAA 112; 42 USC 7412. D. **CFR Change**: 40 CFR 61.	Joe Padgett EPA (MD-12) Research Triangle Park, NC 27711 FRS: 8-629-5204 Comm: 9/9-541-5204	ANPRM: 44FR58662 (10/10/79) NPRM: 44FR61620 (10/26/79) Final: 12/80
Generic Standards for Control of Airborne Carcinogens (Volatile Organic Compounds) (SAN No. 1618, Docket No. A-79-13)	A. **Description**: These generic standards would be proposed with the listing of a volatile organic chemical carcinogen as a hazardous air pollutant. B. **Classification**: Unclassified. C. **Statutory Authority**: CAA 112. D. **CFR Changes**: 40 CFR 61.	Don Goodwin EPA (MD-13) Research Triangle Park, NC 27711 FTS: 8-629-5271 Comm: 919-541-5271	ANPRM: 44FR58662 (10/10/79)
Primary Nonferrous Smelter Orders (SAN No. 1301, Docket No. DSSE-78-1)	A. **Description**: This regulation governs the issuance of nonferrous smelter orders. It allows smelters to defer their compliance with the applicable sulfur dioxide emission limitations under State Implementation Plans. The regulation allows this deferral as long as certain financial conditions exist and certain interim requirements are met. B. **Classification**: Routine. C. **Statutory Authority**: CAA 119; 42 USC 7419. D. **CFR Change**: 40 CFR 57.	David Rochlin EPA (EN-341) Washington, DC 20460 FTS: 8-755-2542 Comm: 202-755-2542	NPRM: 44FR6284 (1/31/79) FR: 6/80

SIGNIFICANT EPA REGULATIONS UNDER CONSIDERATION—Continued

Title	Summary	Contact	Timetable
	AIR—Continued		
Noncompliance Penalties (SAN No. 1302, Docket No. EN-79-1)	A. **Description**: The purpose of the noncompliance penalty is to recover, in an administrative penalty assessment, the economic value that a delay in compliance may have to the owner of a noncomplying source. The penalty should encourage source owners to come into compliance more quickly by removing these benefits of delay. Increased rates of compliance should lead to an improvement in air quality. B. **Classification**: Routine. C. **Statutory Authority**: CAA 120; 42 USC 7420. D. **CFR Change**: 40 CFR 66, 67. E. **Analysis**: REG. ANALYSIS.	Robert Homiak EPA (EN-341) Washington, DC 20460 FTS: 8-755-2580 Comm: 202-755-2580	NPRM: 44FR17309 (3/21/79) RPRM: 44FR34524 (6/15/79) FR: 6/80
Stack Height Regulations (SAN No. 1303, Docket No. A-79-01)	A. **Description**: The Clean Air Act requires that the Agency determine stack heights which will be acceptable for credit of pollution dispension under State Implementation Plans. The Agency will make this determination by limiting stack height on the basis of good engineering practices (GEP). B. **Classification**: Major. C. **Statutory Authority**: CAA 123; 42 USC 7423. D. **CFR Change**: Revision to 40 CFR 51. E. **Analysis**: EIS, REG. ANALYSIS.	Richard Rhoads EPA (MD-12) Research Triangle Park, NC 27711 FTS: 8-629-5251 Comm: 919-541-5251	NPRM: 44FR 2608 (1/12/79) FR: 8/80
• *Prevention of Significant Deterioration: Set II Pollutants* (SAN No. 1306)	A. **Description**: These regulations will provide guidelines for States to develop plans which limit emissions of carbon monoxide, nitrogen oxides, and lead in areas designated attainment for ozone, lead and nitrogen dioxide. B. **Classification**: Major. C. **Statutory Authority**: CAA 165, 166; 42 USC 7475, 7476. D. **CFR Change**: 40 CFR 51. E. **Analysis**: REG. ANALYSIS.	Richard Rhoads EPA (MD-12) Research Triangle Park, NC 27711 FTS: 8-629-5251 Comm: 919-541-5251	ANPRM: 45FR30088 (5/7/80) NPRM: 8/81 FR: 4/82
• *Visibility Protection Requirements* (SAN No. 1307, Docket No. A-79-40)	A. **Description**: EPA is preparing a report for Congress and guidelines which will require that State Implementation Plans address visibility problems. B. **Classification**: Major. C. **Statutory Authority**: CAA 165, 169(a); 42 USC 7475, 7479(a). D. **CFR Change**: 40 CFR 51. E. **Analysis**: EIS, REG. ANALYSIS.	Richard Rhoads EPA (MD-12) Research Triangle Park, NC 27711 FTS: 8-629-5251 Comm: 919-541-5251	NPRM: 5/80 FR: 11/80
Emissions Banking (SAN No. 1605)	A. **Description**: The banking and trading regulation will lay out the legal foundation for systems of emission reduction credits that states can develop to use market incentives to more efficiently accommodate growth and achieve existing air standards. The regulation will specify conditions state rules and programs must meet to be consistent with the CAA. B. **Classification**: Major. C. **Statutory Authority**: CAA 173; 42 USC 7503. D. **CFR Change**: EPA will later assign a CFR part to this regulation.	John Hoffmann EPA (PM-221) Washington, DC 20460 FTS: 8-755-0933 Comm: 202-755-0933	NPRM: 9/80 FR: 1/81
• *Conformity of Federal Actions to State Implementation Plans*	A. **Description**: These regulations will ensure the conformity of all relevant federal actions in areas subject to the provisions of a state implementation plan (SIP) approved, conditionally approved or promulgated by EPA. Two types of regulations are being considered: (1) requiring other federal departments to establish a process for determining the conformity of their actions with SIPs; and (2) requiring state and local review of the conformity findings of federal departments. B. **Classification**: Routine C. **Statutory authority**: CAA 176(c); 42 USC 7506(c) D. **CFR Changes**: 40 CFR 51, 52, 59	Cary B. Hinton EPA (ANR-445) Washington, DC 20460 FTS: 8-755-0570 Comm: 202-755-0570	ANPRM: 45FR21590 (4/1/80) NPRM: 11/80 FR: 6/81

SIGNIFICANT EPA REGULATIONS UNDER CONSIDERATION—Continued

Title	Summary	Contact	Timetable
	AIR—Continued		
The purpose of Title II of the Clean Air Act is to control emissions from moving sources of air pollution. Mobile sources (cars, trucks, motorcycles and buses) are major sources of carbon monoxide, hydrocarbons, nitrogen oxides and particulate matter. Title II also authorizes EPA to regulate fuels and fuel additives.			
Requirements to Build Demonstration Cars Meeting 0.4 gram/mile NOx Standard (SAN No. 1308, Docket No. OMSAPC78-2)	A. **Description**: All manufacturers with at least a 0.5% share of the U.S. passenger car market will have to build research vehicles which emit not more than 0.4 grams of nitrogen dioxide per mile. EPA published this regulation in interim final form for the 1979 model year and will publish it in final form for the 1980 model year. B. **Classification**: Routine. C. **Statutory Authority**: CAA 202; 42 USC 7521. D. **CFR Change**: 40 CFR 85.	Robert Wagner EPA Ann Arbor, MI 48105 FTS: 8-374-8279 Comm: 313-668-4279	NPRM: 44FR7780 (2/7/79) FR: 6/80
• *Heavy-Duty Diesel Particulate Regulations* (SAN No. 1310, OMSAPC 78-3)	A. **Description**: Although these standards are required by the Clean Air Act for 1981 models, development of a new heavy-duty test-procedure to be used as the basis for a standard delayed progress. Promulgation of the transient heavy-duty test procedure allows work to procede on the standard. The Agency intends to have a standard for the 1985 model year. B. **Classification**: Major. C. **Statutory Authority**: CAA 202; 42 USC 7521. D. **CFR Change**: 40 CFR 86. E. **Analysis**: EIS, REG. ANALYSIS.	Merrill Korth EPA Ann Arbor, MI 48105 FTS 8-374-8200 Comm 313-668-4200	NPRM 6/80 FR: 4/81
Heavy-Duty Evaporative Emission (SAN No. 1312, Docket No. OMSAPC 79-1)	A. **Description**: The Clean Air Act requires that EPA promulgate a test procedure to require measurement of evaporative emissions from vehicles. EPA is also developing standards for heavy-duty gasoline vehicles which will regulate fuel evaporation emissions beginning in model year 1983. B. **Classification**: Routine. C. **Statutory Authority**: CAA 202(a); 42 USC 7521(a). D. **CFR Change**: 40 CFR 86. E. **Analysis**: EIS, REG. ANALYSIS.	Tim Mott EPA Ann Arbor, MI 48105 FTS 8-374-8208 Comm 313-668-4208	NPRM: 45FR28922 (4/30/80) FR: 12/80
• *Emission Regulations for 1983 and Later Model Year Light-Duty Trucks* (SAN No. 1313, Docket No. OMSAPC 79-2)	A. **Description**: The Clean Air Act requires standards for 6000-8500 pound trucks that will cause a 90% reduction in hydrocarbons and carbon monoxide emissions from baseline by 1983 and a 75% reduction of nitrogen dioxide emissions from baseline by 1985 model year. The same standards will be applied to trucks under 6000 pounds GVWR. B. **Classification**: Major. C. **Statutory Authority**: CAA 202(a); 42 USC 7521(a). D. **CFR Change**: 40 CFR 86. E. **Analysis**: EIS, REG. ANALYSIS.	Richard Munt EPA Ann Arbor, MI 48105 FTS 8-378-8378 Comm 313-668-4378	NPRM 44FR40784 (7/12/79) FR: 6/80
• *Emission Regulations for 1985 and Later Model Year Light Duty Trucks and Heavy Duty Engines* (SAN No. 1315, Docket No. OMSPAC 78-4)	A. **Description**: The Clean Air Act requires EPA to establish emission standards for heavy-duty vehicles (over 6000 pounds GVWR). A 75% reduction for nitrogen dioxide beginning with model year 1985 is scheduled. EPA has developed a new test procedure for measuring exhaust emissions which will be used to measure baseline emissions. B. **Classification**: Major. C. **Statutory Authority**: CAA 202(a)(3); 42 USC 7521(a)(3). D. **CFR Change**: 40 CFR 86. E. **Analysis**: EIS, REG. ANALYSIS.	Chet France EPA Ann Arbor, MI 48105 FTS 8-374-8338 Comm 313-668-4338	NPRM 10/80 FR 4/81

SIGNIFICANT EPA REGULATIONS UNDER CONSIDERATION—Continued

Title	Summary	Contact	Timetable
	AIR—Continued		
Interim High Altitude Requirements (SAN No. 1316, Docket No. A-79-14)	A. **Description**: The regulations set requirements for cars to meet high altitude standards for 1981-83 models. B. **Classification**: Routine. C. **Statutory Authority**: CAA 202(a),(f); 42 USC 7521(a),(f). D. **CFR Change**: 40 CFR 86 E. **Analysis**: EIS.	Richard Wilcox EPA Ann Arbor, MI 48105 FTS: 8-374-8390 Comm 313-668-4390	ANPRM: 44FR27700 (5/11/79) NPRM: 45FR5988 (1/24/80) FR: 9/80
Importation of Motor Vehicles and Motor Vehicle Engines (SAN No. 1317, Docket No EN-79-9)	A. **Description**: These revised regulations allow only certified vehicles and engines to be imported, except that an individual may import an uncertified version for one time only. The purpose is to improve the effectiveness and administration of EPA's present regulation. The proposal will be published in the *Federal Register* after Customs and Treasury complete reviewing it. B. **Classification**: Routine C. **Statutory Authority**: CAA 203, 42 USC 7522 D. **CFR Change**: 40 CFR 85	Gerald C. Kraus EPA (EN-340) Washington, DC 20460 FTS: 8-472-9413 Comm: 202-472-9413	NPRM: Summer 1980
Amendments to Entry and Access Provisions of EPA Regulations Controlling Air Pollution From Mobile Sources (SAN No. 1521, Docket No EN-79-15)	A. **Description**: The regulation implements the Supreme Court's decision in *Marshall v Barlows, Inc* by amending the "Entry and Access" provisions of mobile source program regulations to make them consistent with the Court's ruling. B. **Classification**: Routine. C. **Statutory Authority**: CAA 203, 206, 208, 301, 42 USC 7522, 7525, 7542, 7601. D. **CFR Change**: Revision to 40 CFR 80, 85, 86.	Stephen J. Turchen EPA (EN-340) Washington, DC 20460 FTS: 8-472-9417 Comm: 202-472-9417	NPRM: 7/80 FR: 10/80
Tampering Enforcement Regulations (SAN No. 1601, Docket No EN-80-3)	A. **Description**: These regulations will clarify EPA's enforcement policy against tampering with the emission control systems of motor vehicles B. **Classification**: Routine. C. **Statutory Authority**: CAA 203(a)(3), 301, 42 USC 7522 (a9(3), 7601. D. **CFR Change**: 40 CFR 85	Barbara C. Gilibert EPA (EN-340) Washington, DC 20460 FTS: 8-472-9350 Comm: 202-472-9350	ANPRM: 6/80 NPRM: 3/81 FR: 9/81
Vehicle Maintenance and Use Regulations (SAN No. 1517, Docket No EN-79-11)	A. **Description**: These regulations will insure that manufacturers require only appropriate maintenance of emission-related components and that owners are fully informed of their maintenance burden and resulting liabilities. B. **Classification**: Routine. C. **Statutory Authority**: CAA 203(a)(4), 204, 205, 206, 207(a)(3), 301(a)(1); 42 USC 7522(a)(4) 7523, 7524, 7525, 7541(a)(3), 7601(a)(1). D. **CFR Change**: 40 CFR 85 Subpart V	Richard Friedman EPA (EN-340) Washington, DC 20460 FTS: 8-472-9350 Comm: 202-472-9350	ANPRM: 8/80 NPRM: 4/81 FR: 12/81
Regulations Defining Certificate of Conformity (SAN No 1318)	A. **Description**: The regulations identify certain components and specifications required for motor vehicle certification, including the parameters of allowable deviation of parts and the specification for the certification tests. B. **Classification**: Routine. C. **Statutory Authority**: CAA 206(a); 42 USC 7525(a). D. **CFR Change**: 40 CFR 86.	Mark Siegler EPA (EN-340) Washington, DC 20460 FTS: 8-472-9417 Comm: 202-472-9417	NPRM: 39FR44246 (12/23/74) FR: 7/80
Selective Enforcement Auditing of Motorcycles (SAN No. 1319)	A. **Description**: This regulation would help to ensure that motorcycles to be distributed into commerce are in compliance with applicable emissions standards. It has not yet been determined if this regulation will proceed beyond the ANPRM stage. B. **Classification**: Unclassified. C. **Statutory Authority**: CAA 206(a), 208, 301, 42 USC 7525(a), 7542, 7601. D. **CFR Change**: 40 CFR 86.	Stephen Turchen EPA (EN-340) Washington, DC 20460 FTS: 8-472-9417 Comm: 202-472-9417	ANPRM 43FR1108 (1/6/78)

SIGNIFICANT EPA REGULATIONS UNDER CONSIDERATION—Continued

Title	Summary	Contact	Timetable
	AIR—Continued		
1984 High Altitude Standards (SAN No. 1322, Docket No. EN-79-7)	A. **Description**: These regulations require all vehicles to meet standards at all altitudes beginning with 1984 models. B. **Classification**: Routine C. **Statutory Authority**: CAA 206(f); 42 USC 7525(f). D. **CFR Change**: 40 CFR 86. E. **Analysis**: EIS, REG. ANALYSIS	Richard Wilcox EPA Ann Arbor, MI 48105 FTS: 8-374-8390 Comm: 313-668-4390	NPRM: 5/81 FR: 11/81
Nonconformance Penalties for Heavy-Duty Engines (SAN No. 1571)	A. **Description**: By 1984, manufacturers of heavy-duty engines will have to meet hydrocarbon and carbon monoxide emission standards. Under this regulation, manufacturers that fail to comply with the standards but do not exceed a designated maximum pollutant level would be allowed to sell their engines. However, they would be forced to pay a nonconformance penalty (NCP) based on the marginal cost of compliance. The NCP would prevent any non-complying manufacturers from achieving a competitive advantage over manufacturers who do comply. B. **Classification**: Routine C. **Statutory Authority**: CAA 206(g), 301 (a); 42 USC 7525(g), 7601(a). D. **CFR Change**: 40 CFR 86	Timothy Fields EPA (EN-340) Washington, DC 20460 FTS: 8-472-9417 Comm: 202-472-9417	Notice: 44FR9469 (2/13/79) Notice: 45FR4143 (1/21/80) NPRM: 10/80 FR: 5/81
Emissions Design and Defect Warranty (SAN No. 1324, Docket No. MSED-78-1)	A. **Description**: This regulation will insure that owners are able to take advantage of the 207(a) warranty and that dealers and manufacturers understand their liability. It will also establish uniform procedures for administering the warranty and require owners to be informed of its coverage. B. **Classification**: Routine. C. **Statutory Authority**: CAA 207(a)(1), 301(a)(1), 203(a)(4) ; 42 USC 7541(a)(1), 7601(a)(1), 7522(a) D. **CFR Change**: 40 CFR 85	Rick Friedman EPA (EN-340) Washington, DC 20460 FTS: 8-472-9350. Comm. 202-472-9350	ANPRM: 41FR50566 (11/16/76) NPRM: 6/80 FR: 11/81
Aftermarket Parts Certification (SAN No. 1325, Docket No. EN-79-8)	A. **Description**: This regulation establishes a procedure that allows autoparts manufacturers voluntarily to certify that use of their parts will not increase vehicle emissions or void the owner's emission warranty. B. **Classification**: Routine. C. **Statutory Authority**: CAA 207(a)(2), 301; 42 USC 7541(a)(2), 7601. D. **CFR Change**: 40 CFR 85	David Feldman EPA (EN-340) Washington, DC 20460 FTS: 8-472-9350 Comm: 202-472-9350	ANPRM: 39FR40192 (11/14/74) NPRM: 44FR46686 (8/8/79) FR: 8/80
Allowable Maintenance for Light Duty Vehicles (SAN No. 1597)	A. **Description**: The Clean Air Act requires that automobile manufacturers furnish to the purchaser written instructions for proper use and maintenance of new motor vehicles and engines. This regulation will determine the content of those instructions on the basis of maintenance which is likely to be performed and which is necessary. The Agency has temporarily postponed the schedule for completion of this regulation. B. **Classification**: Routine. C. **Statutory Authority**: CAA 207(c)(3); 42 USC 7541(c)(3) D. **CFR Change**: 40 CFR 86.	Merill Korth EPA Ann Arbor, MI 48105 FTS 8-374-8299 Comm. 313-668-4208	
• *Fuels and Fuel Additives* (SAN No 1328)	A. **Description**: These protocols will help determine effects of fuel and fuel additives on public health and emission control devices. B. **Classification**: Major. C. **Statutory Authority**: CAA 211; 42 USC 7545 D. **CFR Change**: 40 CFR 79.6.	Richard A. Rykowski Matt Bills EPA Ann Arbor, MI 48105 FTS. 8-374-8339 Comm: 313-668-4339	NPRM: 7/81 FR: 7/82

SIGNIFICANT EPA REGULATIONS UNDER CONSIDERATION—Continued

Title	Summary	Contact	Timetable
	AIR—Continued		
High Altitude Performance Adjustments (SAN No. 1329)	A. **Description**: This regulation sets procedures for approval of manufacturers' adjustments to light duty cars and trucks built for high altitude operation. B. **Classification**: Routine. C. **Statutory Authority**: CAA 215; 42 USC 7549 D. **CFR Change**: 40 CFR 86.	Thomas Ball EPA Ann Arbor, MI 48105 FTS: 8-374-8280 Comm: 313-668-4280	NPRM: 45FR6012 (1/24/80) FR: 9/80
Turbine Aircraft Gaseous Emissions Retrofit and Modification of 1973 Standards (SAN No. 1330, Docket No. OMSAPC 78-1)	A. **Description**: This regulation proposes revisions in emission standards for commercial aircraft to reduce hydrocarbons, carbon monoxide and nitrogen oxide. B. **Classification**: Routine. C. **Statutory Authority**: CAA 231; 42 USC 7571 D. **CFR Change**: 40 CFR 87. E. **Analysis**: EIS.	Richard Wilcox EPA Ann Arbor, MI 48105 FTS: 8-374-8390 Comm: 313-668-4390	NPRM: 43FR12615 (3/24/78) FR: 6/80
Regional Consistency (SAN No. 1331, Docket No. OAQPS 79-11)	A. **Description**: The Clean Air Act requires that EPA provide for consistent implementation by Regional Offices. B. **Classification**: Routine. C. **Statutory Authority**: CAA 301; 42 USC 7601 D. **CFR Change**: 40 CFR 56. E. **Analysis**: EIS.	Darryl Tyler EPA (MD-13) Research Triangle Park, NC 27711 FTS: 8-629-5425 Comm: 919-541-5425	NPRM: 44FR13043 (3/9/79) FR: 7/80
Fuel Economy Data – 1981 Model Year (SAN No. 1629)	A. **Description**: This action will revise Part 600 to incorporate several provisions intended to ensure the representativeness of data used to calculate fuel economy values. These revisions will 1) decrease the maximum allowable test vehicle system mileage accumulation, 2) redefine transmission class to differentiate between front-and rear-wheel drive, 3) require additional test data when base level fuel economy would otherwise be from a zero sales vehicle configuration, and 4) allow for more accurate and thorough reflection of the fuel economy effect of running changes. B. **Classification**: Routine. C. **Statutory Authority**: EPCA 1901 D. **CFR Change**: Revision to 40 CFR 600	Phillip Leung EPA Ann Arbor, MI 48105 FTS: 8-374-8248 Comm: 313-668-4248	NPRM: 7/80 FR: 11/80
	DRINKING WATER		
The Safe Drinking Water Act of 1974 requires EPA to establish primary and secondary drinking water regulations to assure safe drinking water supplies for the public. Primary regulations are aimed at protecting public health. They establish maximum allowable containment levels in drinking water and provide for water treatment technologies and general criteria for water supply system operation. Secondary regulations are designed to protect public welfare and deal with taste, odor, and appearance of drinking water. The act also provides for developing regulations to protect underground sources of drinking water (aquifiers) from contamination. The chief source of such contamination is the injection into the ground of various waste products as a means of disposing of them.			
• *Control of Organic Chemicals in Drinking Water by Granular Activated Carbon Systems* (SAN No. 1201)	A. **Description**: The regulation will require use of granular activated carbon (GAC) or equivalent technology in those public water systems subject to contamination by synthetic organic chemicals. B. **Classification**: Major. C. **Statutory Authority**: SDWA 1412; 42 USC 300g-1. D. **CFR Change**: 40 CFR 141. E. **Analysis**: REG. ANALYSIS.	Joe Cotruvo EPA (WH-550) Washington, DC 20460 FTS: 8-472-5016 Comm: 202-472-5016	ANPRM: 41FR28991 (7/14/76) NPRM: 43FR5756 (2/9/78) RPRM: 12/80

SIGNIFICANT EPA REGULATIONS UNDER CONSIDERATION—Continued

Title	Summary	Contact	Timetable
	DRINKING WATER—Continued		
Technical Amendments to the National Primary Drinking Water Regulations (SAN No. 1202, Docket No. FRL 1230-3)	A. **Description**: These amendments adjust the previously published National Interim-Primary Drinking Water regulations. They will provide additional flexibility for community water systems to comply with the microbiological Maximum Contaminant Level (MCL) and will also provide non-community systems with modified requirements for microbiological MCL, turbidity monitoring, and nitrate MCL. There will also be modifications to public notification procedures and new requirements for community water systems to monitor and report sodium levels. B. **Classification**: Routine. C. **Statutory Authority**: SDWA 1412; 33 USC 300g-1. D. **CFR Change**: Revisions to 40 CFR 141.	Joe Cotruvo EPA (WH-550) Washington, DC 20460 FTS: 8-472-5016 Comm: 202-472-5016	NPRM: 44FR42246 (7/19/79) FR: 6/80
Maximum Contaminant Levels for Certain Organic Chemicals Found in Ground Water (SAN No. 1567)	A. **Description**: The regulation will establish the Maximum Contaminant Level (MCL) for certain organic chemicals that are most commonly found in drinking water drawn from groundwater sources and that may have adverse effects on human health. The Safe Drinking Water Act requires the Agency to establish these contaminant levels. B. **Classification**: Major. C. **Statutory Authority**: SWDA 1412; 42 USC 300g-1. D. **CFR Change**: Additions to 40 CFR 141.	Joe Cotruvo EPA (WH-550) Washington, DC 20460 FTS: 8-472-5016 Comm: 202-472-5016	ANPRM: 41FR28991 (7/14/76) NAS Recommendations: 42FR35764(7/11/77) NPRM: 9/80
Underground Injection Control Program Regulations (SAN No. 1205).	A. **Description**: These regulations are intended to protect underground drinking water supplies from contamination caused by improper underground injection of fluids. States can apply for primary enforcemment authority if they meet the minimum criteria specified in the regulations. The regulations may require a permit program to ensure that there is a case-by-case determination. B. **Classification**: Major C. **Statutory Authority**: SWDA 1421(a); 42 USC 300(h)(a) D. **CFR Change**: 40 CFR 146. E. **Analysis**: EIS, REG. ANALYSIS.	Tom Belk EPA (WH-550) Washington, DC 20460 FTS: 8-426-3934 Comm: 202-426-3934	NPRM: 44FR23738 (4/20/79) FR: 6/80
Technical Amendments to the Implementation Regulations for the Interim Primary Drinking Water Regulations (SAN No. 1549)	A. **Description**: These regulations define the implementation and enforcement requirements for the National Interim Primary Drinking Water Regulations. These requirements will apply to States which choose to operate the Public Water System Supervision Program. EPA amended the Primary Drinking Water Regulations in 1979 and will issue additional amendments in June 1980. This set of amendments will update the Implementation Regulations to correspond with the changes in Primary Drinking Water Regulations and will make minor changes to clarify and simplify the language. B. **Classification**: Routine. C. **Statutory Authority**: SDWA 1413-1416, 1445, 1450; 42 USC 300g-2, g-3, g-4, g-5, 300j-4, j-9. D. **CFR Change**: 40 CFR 142.	James F. Manwaring EPA (WH-550) Washington, DC 20460 FTS: 8-472-4152 Comm: 202-472-4152	NPRM: 39FR33228 (8/7/75) FR: 40FR2916 (1/20/76) IFR: 43FR5372 (2/8/78) FR: 6/80

SIGNIFICANT EPA REGULATIONS UNDER CONSIDERATION—Continued

Title	Summary	Contact	Timetable
	NOISE		

The Noise Control Act of 1972, as amended by the Quiet Communities Act of 1978, authorizes EPA to promulgate regulations to protect the public health and welfare from noise pollution.

Sections 5 and 6 of the Act require that the Agency identify major sources of noise pollution and promulgate noise emission standards for newly manufactured products listed as major sources of noise that are distributed in commerce. Under section 8, EPA is authorized to require labeling of consumer products as to their noise-related characteristics. The Agency has established general labeling requirements and will expand the number of products covered under this program.

Section 17 of the Act provides for limiting noise from railroad engines, cars and facilities. These regulations are enforced by the Federal Railroad Administration of the Department of Transportation.

Noise Emission Standards for Buses (SAN No. 1170, Docket No. ONAC 77-6)	A. **Description**: This regulation sets noise emission standards for new interstate, city, and school buses. B. **Classification**: Routine C. **Statutory Authority**: NCA 5, 6; 42 USC 4904, 4905 D. **CFR Change**: Additions to 40 CFR 205 E. **Analysis**: EIS	Kenneth Feith EPA (ANR 490) Washington, DC 20460 FTS: 8-557-2710 Comm: 703-557-2710	NPRM: 42FR45775 (9/12/77) FR: 6/80
Noise Emission Standards for Wheel & Crawler Tractors (SAN No. 1172, ONAC 77-2)	A. **Description**: This regulation sets noise emission standards for new wheel and crawler tractors manufactured primarily for construction applications. B. **Classification**: Major C. **Statutory Authority**: NCA 5, 6; 42 USC 4904, 4905 D. **CFR Change**: Addition to 40 CFR 204 E. **Analysis**: EIS	Henry Thomas EPA (ANR-490) Washington, DC 20460 FTS: 8-557-7743 Comm: 702-557-7743	NPRM: 42FR35803 (7/11/77) FR: 12/82
Noise Emission Standards for Motorcycles (SAN No. 1173, Docket No. ONAC 77-10)	A. **Description**: This regulation sets noise emission standards for new motorcycles and new motorcycle replacement exhaust systems distributed in commerce. B. **Classification**: Major C. **Statutory Authority**: NCA 5, 6; 42 USC 4904, 4905. D. **CFR Change**: Additions to 40 CFR 205 E. **Analysis**: EIS, REG ANALYSIS	Henry Thomas EPA (ANR-490) Washington, DC 20460 FTS 8-557-7743 Comm 703-557-7743	NPRM: 43FR10822 (3/15/78) FR: 7/80
Noise Labeling Program (SAN No. 1606)	A. **Description**: The ANPRM will inform industry and the public of EPA's intent to regulate noise labeling of products of certain industries. The Agency initiated this program in 1979 with the General Provisions and Hearing Protector regulations. The ANPRM will be followed by proposals for specific industries. B. **Classification**: Unclassified. C. **Statutory Authority**: NCA 8,42 USC 4907 D. **CFR Change**: 40 CFR 211	Fred Mintz EPA (ANR-490) Washington, D.C 20460 FTS. 8-557-2710 Comm: 703-557-2710	ANPRM 9/80
Importation of Noise Emitting Products (SAN No. 1178)	A. **Description**: This regulation is being written in conjunction with the U.S. Customs Service to control, under NCA section 9, the importation of products regulated under NCA sections 6, 8. B. **Classification**: Routine. C. **Statutory Authority**: NCA 9; 42 USC 4908 D. **CFR Change**: 40 CFR 208	Timothy Dwyer EPA (EN-387) Washington, DC 20460 FTS 8-557-7470 Comm 703-557-7470	NPRM 7/81 FR 2/82
Administrative Hearing Procedures (SAN No. 1176)	A. **Description**: EPA is writing this regulation to lay the groundwork for procedures for hearings to issue remedial orders under NCA section 11(d). These are adjudicatory hearings under the Administrative Procedures Act (5 USC 554). B. **Classification**: Routine C. **Statutory Authority**: NCA 11, 42 USC 4910 D. **CFR Change**: 40 CFR 210	Timothy Dwyer EPA (EN-387) Washington, DC 20460 FTS. 8-557-7406 Comm 703-557-7406	IFR: 43FR34132 (8/3/78) FR: 10/80

SIGNIFICANT EPA REGULATIONS UNDER CONSIDERATION—Continued

Title	Summary	Contact	Timetable
NOISE—Continued			
Low Noise Emission Products (SAN No. 1177, Docket No. ONAC 77-7)	A. **Description**: If a product has a low noise emission level, it may be entitled to special consideration in Federal purchasing. This regulation establishes guidelines for determining these low levels. B. **Classification**: Routine. C. **Statutory Authority**: NCA 15; 42 USC 4914. D. **CFR Change**: Additions to 40 CFR 203, 204, 205. E. **Analysis**: EIS.	Henry Thomas EPA (ANR 490) Washington, DC FTS: 8-557-7743 Comm: 703-557-7743	NPRM: 42FR27441 (5/27/77) FR: 8/80
Noise Emission Standards for Transportation Equipment: Interstate Rail Carriers – Property Line Noise Standards. (SAN No. 1179A, Docket No. ONAC 80-1)	A. **Description**: This regulation establishes noise emission standards (limits) on the overall noise generated from railroad facilities (including operations and equipment noise). The D.C. Circuit has set January 1981 as the deadline for promulgation of the final rule. See *Association of American Railroads v. Costle*, C.A. No. 76-1353. B. **Classification**: Routine. C. **Statutory Authority**: NCA 17; 42 USC 4916. D. **CFR Change**: 40 CFR 201. E. **Analysis**: EIS.	Robert Rose EPA (ANR 490) Washington, DC 20460 FTS: 8-557-7666 Comm: 703-557-7666	NPRM: 44FR22960 (4/17/79) NPRM: 44FR25268 (4/30/79) FR: 1/81
Railroad Noise Emission Standards: Special Local Determinations (SAN No. 1180, Docket No. ONAC 76-11)	A. **Description**: This regulation establishes procedures and criteria for State and local governments to apply for exceptions from federal rules. The Agency expects that it will only make exceptions on those rare occasions when special circumstances make the federal rules inapplicable. B. **Classification**: Routine. C. **Statutory Authority**: NCA 17(c)2; 42 USC 4916(c)(2). D. **CFR Change**: 40 CFR 201.	Robert C. Rose EPA (ANR 490) Washington, DC 20460 FTS: 8-557-7666 Comm: 703-557-7666	NPRM: 41FR52317 (11/29/76) RPRM: 1982
PESTICIDES			
The Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA) requires that EPA, with the cooperation of the States for certain activities, regulate the use of pesticide products in the United States. Under Section 3 of the Act all manufacturers of pesticides must register their products with EPA. The Agency is presently working on regulations (SAN Nos. 1141-1148,1619-1623) that specify the test data standards and the reporting and labeling requirements for registration applications. EPA is also simplifying procedures for registration and reregistration of pesticide products. (SAN No. 1524)			
• *Pesticide Registration Guidelines: Introduction* (SAN No. 1141)	A. **Description**: This action states the general purpose of the guidelines and specifies the degree of flexibility in their requirements and in the use of interim data. It also defines terms used throughout the guidelines, and sets out requirements for keeping data and test samples at laboratories. B. **Classification**: Routine. C. **Statutory Authority**: FIFRA 3; 7 USC 136a. D. **CFR Change**: 40 CFR 163 Subpart A.	Bill Preston EPA (TS-769) FTS: 8-557-1405 Comm: 703-557-1405	NPRM: 43FR29696 (7/10/78) FR: 11/80
• *Pesticide Registration Guidelines: Applicability of Data Requirements* (SAN No. 1619)	A. **Description**: This specialized regulation will instruct registration applicants as to data requirements for new products. It will consist of listings of the different requirements for different end uses. B. **Classification**: Routine. C. **Statutory Authority**: FIFRA 3: 7 USC 136a. D. **CFR Change**: 40 CFR 163 Subpart B.	Bill Preston EPA (TS-769) Washington, D.C. 20460 FTS: 8-557-1405 Comm: 703-557-1405	IFR: 11/80
• *Chemistry Requirements: Product Chemistry* (SAN No. 1143)	A. **Description**: This regulation covers requirements for data on formation, identification, and quantification of the ingredients and impurities in pesticide products, and on chemical and physical characteristics of the products and their components. The Agency will propose the section on microbial bioassay in July. B. **Classification**: Routine. C. **Statutory Authority**: FIFRA 3; 7 USC 136a. D. **CFR Change**: 40 CFR 163 Subpart D.	Bill Preston EPA (TS-769) Washington, DC 20460 FTS: 8-557-1405 Comm: 703-557-1405	FR: 7/80 NPRM: 7/80

SIGNIFICANT EPA REGULATIONS UNDER CONSIDERATION—Continued

Title	Summary	Contact	Timetable
	PESTICIDES—Continued		
• *Hazard Evaluation: Wildlife and Aquatic Organisms* (SAN No. 1144)	A. Description: This action covers data requirements for studies of pesticide effects on birds, wild animals, fish, and other aquatic animals. B. Classification: Routine. C. Statutory Authority: FIFRA 3; 7 USC 136a. D. CFR Change: 40 CFR 163 Subpart E.	Bill Preston EPA (TS-769) Washington, DC 20460 FTS: 8-557-1405 Comm: 703-557-1405	NPRM: 43FR29696 (7/10/78) FR: 6/80
• *Hazard Evaluation: Humans and Domestic Animals* (SAN No. 1145)	A. Description: This description specifies data requirements for studies of pesticide effects in laboratory animals for assessment of potential hazards to humans and domestic animals. B. Classification: Major. C. Statutory Authority: FIFRA 3; 7 USC 136a. D. CFR Change: 40 CFR 163, Subpart F.	Bill Preston EPA (TS-769) Washington, DC 20460 FTS: 8-557-1405 Comm: 703-557-1405	NPRM: 43FR37336 (8/22/78) FR: 9/80
• *Product Performance* (SAN No. 1146)	A. Description: This action specifies the data that registrants must submit to demonstrate that pesticide products will control pests as specified in label claims. B. Classification: Routine. C. Statutory Authority: FIFRA 3; 7 USC 136(a) D. CFR Change: 40 CFR 163 Subpart G.	Bill Preston EPA (TS-769) Washington, DC 20460 FTS: 8-557-1405 Comm: 703-557-1405	NPRM: 8/80 FR: 5/81
• *Label Development and Improvement* (SAN No. 1147)	A. Description: This action describes all essential parts of a pesticide product label, including how labeling must comply with the requirements of FIFRA and how claims, precautions and directions must correspond to evidence developed in tests performed by or for the registration applicant. B. Classification: Routine. C. Statutory Authority: FIFRA 3; 7 USC 136a. D. CFR Change: 40 CFR 163 Subpart H.	Bill Preston EPA (TS-769) Washington, DC 20460 FTS: 8-557-1405 Comm: 703-557-1405	NPRM: 8/80 FR: 5/81
• *Experimental Use Permits* (SAN No. 1142)	A. Description: This action specifies that data and labeling must be submitted in support of an application for an experimental use permit. It also defines procedures which must be followed to obtain a permit. B. Classification: Routine. C. Statutory Authority: FIFRA 3; 7 USC 136a. D. CFR Change: 40 CFR 163 Subpart I.	Bill Preston EPA (TS-769) Washington, DC 20460 FTS: 8-557-1405 Comm: 703-557-1405	NPRM: 6/80 FR: 2/81
• *Hazard Evaluation: Non-Target Plants and Micro-Organisms* (SAN No. 1148)	A. Description: This action prescribes data required to evaluate adverse effects on nontarget areas; it also provides guidance to submit data on spray draft and phytotoxicity. B. Classification: Routine. C. Statutory Authority: FIFRA 3; 7 USC 136a. D. CFR Change: 40 CFR 163 Subpart J.	Bill Preston EPA (TS-769) Washington, DC 20460 FTS: 8-557-1405 Comm: 703-557-1405	NPRM: 6/80 FR: 3/81
• *Exposure Data Requirements* (SAN No. 1620)	A. Description: This action provides guidance on means to calculate the length of time required before persons can safely re-enter a pesticide-treated area, and the data requirements needed for the calculation. B. Classification: Routine C. Statutory Authority: FIFRA 3; 7 USC 136a. D. CFR Change: 40 CFR 163 Subpart K.	Bill Preston EPA (TS-769) Washington, D.C. 20460 FTS: 8-557-1405 Comm: 703-557-1405	NPRM: 7/80 FR: 5/81
• *Hazard Evaluation: Nontarget Insets*, (SAN No. 1621)	A. Description: This regulation specifies the data requirements for tests designed to reveal any potential adverse effects to bees and other nontarget insects B. Classifion: Routine. C. Statutory Authority: FIFRA 3; 7 USC 136a. D. CFR Change: 40 CFR 163 Subpart L.	Bill Preston EPA (TS-769) Washington, D.C. 20460 FTS: 8-557-1405 Comm: 703-557-1405	NPRM: 7/80 FR: 5/81

SIGNIFICANT EPA REGULATIONS UNDER CONSIDERATION—Continued

Title	Summary	Contact	Timetable
	PESTICIDES—Continued		
• *Data Requirements for Biorational Pesticides* (SAN No. 1622).	A. **Description**: This action prescribes data requirements for studies conducted with pest control organisms such as bacteria, fungi, and viruses, to determine possible adverse effects to humans and other nontarget organisms in the environment; studies with chemicals derived from organisms, such as sex attractants and insect growth regulators, are also covered by data requirements in this subpart. B. **Classification**: Routine C. **Statutory Authority**: FIFRA 3; 7 USC 136a. D. **CFR Change**: 40 CFR 163 Subpart M	Bill Preston EPA (TS -769) Washington, D.C. 20769 FTS: 8-557-1405 Comm: 703-557-1405	NPRM: 10/80 FR: 8/81
• *Chemistry Requirements: Environmental Fate.* (SAN No. 1623).	A. **Description**: This regulation specifies the data required to demonstrate fate of pesticides in the environment, such as through degradation, metabolism, mobility, dissipation, accumulation, and similar routes. (This action was proposed as part of Subpart D). B. **Classification**: Routine. C. **Statutory Authority**: FIFRA 3; 7 USC 136a. D. **CFR Change**: 40 CFR 163 Subpart N.	Bill Preston EPA (TS-769) Washington, D.C. 20460 FTS: 8-557-1405 Comm: 703-557-1405	NPRM: 43FR29696 (7/10/78) FR: 8/80
Modification of Regulations for Pesticides Registration, Classification, and Incorporation of Generic Standards (SAN No. 1524)	A. **Description**: These regulations will revise procedures and requirements for the registration of pesticides. This proposal would revise the regulations covering the registration of new pesticide chemicals and products, the registration and reregistration of old pesticide chemicals and products, and the classification and rebuttable presumption against registration (RPAR) processes. B. **Classification**: Major. C. **Statutory Authority**: FIFRA 3(c)(2)(C); 7 USC 136d. D. **CFR Change**: 40 CFR 162 Subpart A.	Henry Jacoby EPA (TS-767) Washington, DC 20460 FTS: 8-755-2562 Comm: 202-755-2562	ANPRM: 44FR76311 (12/26/79) NPRM: 10/80 FR: 9/81
Other Regulatory Restrictions (SAN No. 1558)	A. **Description**: Restricting use of pesticides to certified users does not always suffice to protect the environment from unreasonable adverse effects. The Agency is writing this regulation in order to develop additional, environmentally adequate kinds of restrictions on pesticides classified for restricted use. B. **Classification**: Major. C. **Statutory Authority**: FIFRA 3(d)(1)(C)(ii); 7 USC 136d. D. **CFR Change**. Revision to 40 CFR 162.11 (C)(5). E. Analysis: EIS	John Street EPA (TS-767) Washington, DC 20460 FTS: 8-426-2510 Comm: 202-426-2510	ANPRM: 6/80 FR: 4/81
State Registration to Meet Special Local Needs (SAN No. 1153)	A. **Description**: This regulation defines the scope of state jurisdiction to register pesticides for uses that Federal registrations do not cover. B. **Classification**: Routine. C. **Statutory Authority**: FIFRA 24(c); 7 USC 136v D. **CFR Change**: 40 CFR 162.	Phil Gray EPA (TS-770-M) Washington, DC 20460 FTS: 8-472-9400 Comm: 202-472-9400	NPRM: 44FR46414 (8/7/79) FR: 9/80
Proposed Reform of Pesticide RPAR Procedures and Hearing Regulations (SAN No. 1609, Docket No. OPP-60004)	A. **Description**: These regulations have two major purposes. The first is to describe clearly and explicitly the procedures EPA follows in practice in reviewing pesticides under the Rebuttable Presumption Against Registration (RPAR) program. The second is to restructure the formal hearing process through which pesticides use registration must be cancelled. B. **Classification**: Routine. C. **Statutory Authority**: FIFRA 25; 7 USC 136w. D. **CFR Change**: 40 CFR 162 & 164.	Ed Gray EPA (A-132) Washington, D.C. 20460 FTS: 8-755-0638 Comm: 202-755-0638	NPRM: 6/80

SIGNIFICANT EPA REGULATIONS UNDER CONSIDERATION—Continued

Title	Summary	Contact	Timetable
PESTICIDES—Continued			
Closed System Packaging (SAN No. 1523)	A. **Description**: The objective of this rule is to reduce the hazards associated with the transfer, mixing, and loading of pesticides. These hazards have resulted in adverse effects on pesticide mixers and loaders of certain classes of pesticides. B. **Classification**: Routine. C. **Statutory Authority**: FIFRA 25(c)(3); 7 USC 136e. D. **CFR Change**: Addition to 40 CFR 162.	William Jacobs EPA (TS-767) Washington, DC 20460 FTS: 8-755-4851 Comm: 202-755-4851	ANPRM: 44FR54508 (9/20/79) NPRM: Late Summer 1980 FR: Early 1981
State Enforcement of Pesticide Violations (SAN No. 1563)	A. **Description**: This policy statement will give the Agency interpretation of Sections 26 and 27 of FIFRA, which provide for State enforcement of pesticide use violations. Under Section 27(b) the Agency is writing a related specialized regulation to establish procedural rules for rescinding State enforcement primary if the Administrator determines that a State is not carrying out its enforcement responsibility. B. **Classification**: Policy Statement C. **Statutory Authority**: FIFRA 26,27; 7 USC 136W-1,W-2 D. **CFR Change**: 40 CFR 173	Steve Leifer EPA (EN-342) Washington, DC 20460 FTS: 8-755-0970 Comm: 202-755-0970	NPRM: 8/80 FR: 12/80
Tolerance Revocation Program (SAN No. 1560)	A. **Description**: This regulation prescribes methods for revoking tolerance petitions when a pesticide registration is canceled. B. **Classification**: Routine. C. **Statutory Authority**: FDCA 408, 409; 21 USC 678, 679. D. **CFR Change**: Deletions from 40 CFR 180.147 (DDT), 180.135 (dieldrin), 180.37 (aldrin), 180.140(BHC)	Jesse Mayes EPA (TS-767) Washington, DC 20460 FTS: 8-755-9315 Comm: 202-755-9315	NPRM: 9/80 FR: 11/80
RADIATION			
Reorganization Plan No. 3 of 1970 transferred to EPA the authorities of the Federal Radiation Council. This included authority to develop guidance for other federal agencies to follow in limiting radiation exposures. This guidance is issued by the President. Additionally, EPA was given authority, under the Atomic Energy Act, to establish generally applicable environmental standards to protect public health from exposure to radiation. The NRC, the Department of Energy, and other federal agencies are responsible for implementing and enforcing these standards. EPA is also developing regulations for clean up and disposal of uranium mill tailing piles under the Uranium Mill Tailings Radiation Control Act of 1978.			
Guidance for Occupational Radiation Exposure (SAN No. 1161, Docket No. A-79-46)	A. **Description**: This guidance updates existing (1960) radiation occupational exposure limits for workers at Federal facilities and those facilities inspected by Federal agencies. B. **Classification**: Guidance. C. **Statutory Authority**: AEA 274(h); 42 USC 2021(h), Reorganization Plan No. 3 of 1970. D. **CFR Change**: This action will not be codified in CFR.	Luis Garcia EPA (ANR 460) Washington, DC 20460 FTS: 8-557-8224 Comm: 703-557-8224	ANPRM: 44FR53785 (9/17/79) NPRM: 9/80 FR: 7/81
Transuranic Elements (SAN No. 1162)	A. **Description**: This guidance to Federal agencies establishes dose rate limits for people exposed to transuranic elements in the general environment. The guidance considers both human inhalation and human ingestion of transuranium elements, and establishes a maximum dose rate to lungs and bones for members of the general population. The recommendations also provide for a dose rate limit to lungs and bones for the most exposed segment of the population. This dose rate limit can be associated with an estimated maximum risk of one additional death per million persons continuously exposed at this rate per year. EPA has approved this guidance and has sent it to the President for signature. B. **Classification**: Guidance. C. **Statutory Authority**: AEA 274(h); 42 USC 2021(h); Reorganization Plan No. 3 of 1970. D. **CFR Change**: This action will not be codified in CFR.	Gordon Burley EPA (ANR 460) Washington, DC 20460 FTS: 8-557-8610 Comm: 703-557-8610	NPRM: 42FR60956 (11/3/77) FR: Pending

SIGNIFICANT EPA REGULATIONS UNDER CONSIDERATION—Continued

Title	Summary	Contact	Timetable
	RADIATION—Continued		
• *Environmental Radiation Protection Standards for Management and Disposal of Radioactive Waste* (SAN No. 1163)	A. **Description**: This regulation will set standards to govern the licensing, design, and operation of permanent, high-level radioactive waste storage facilities. The enforcement of these standards will be the responsibility of the Nuclear Regulatory Commission, which may choose to issue additional regulations. B. **Classification**: Major. C. **Statutory Authority**: AEA 274(h); 42 USC 2021(h); Reorganization Plan #3 of 1970. D. **CFR Change**: 40 CFR 191. E. **Analysis**: EIS, REG. ANALYSIS.	Dan Egan EPA (ANR 459) Washington, DC 20460 FTS: 8-557-8610 Comm: 703-557-8610	NPRM: 6/80 FR: 6/81
Environmental Criteria for Radioactive Wastes (SAN No. 1164)	A. **Description**: The criteria are general guidance to Federal agencies on definitions of radioactive wastes and factors they should consider in evaluating disposal modes and sites. B. **Classification**: Guidance. C. **Statutory Authority**: AEA 274(h); 42 USC 2021 (h); Reorganization Plan No. 3 of 1970. D. **CFR Change**: This action will not be codified in CFR.	Robertson Augustine EPA (ANR 458) Washington, DC 20460 FTS: 8-557-8950 Comm: 703-557-8950	NPRM: 43FR53262 (11/15/78) FR: 8/80
Protective Action Guidance for Accidental Airborne Releases of Radioactivity (SAN No. 1514, Docket No. A-79-11)	A. **Description**: This guidance will provide emergency action levels to be used in cases of accidental release of airborne radionuclides. It will minimize the risk to the health and safety of the general public following potential radioactivity releases from accidents at nuclear power plants, from accidents during the transport of radioactive materials, and from other events that may cause airborne releases of radioactive material. B. **Classification**: Guidance. C. **Statutory Authority**: AEA 274; 42 USC 2021; Reorganization Plan No. 3 of 1970. D. **CFR Change**: This action will not be codified in CFR. E. **Analysis**: EIS.	Allen Richardson EPA (ANR 460) Washington, DC 20460 FTS: 8-557-8927 Comm: 703-557-8927	Indefinitely Postponed
Radiofrequency Radiation Guidance (SAN No. 1525)	A. **Description**: This guidance will serve to limit exposure to radiofrequency monitoring radiation which poses a potential health risk. B. **Classification**: Guidance. C. **Statutory Authority**: AEA 274(h); 42 USC 2021(h); Reorganization Plan No. 3 of 1970. D. **CFR Change**: This action will not be codified in CFR. E. **Analysis**: EIS.	David Janes EPA (ANR 461) Washington, DC 20460 FTS: 8-427-7604 Comm: 301-427-7604	NPRM: 2/81
• *Remedial Action Standards for Inactive Uranium Processing Sites* (SAN No. 1166, Docket No. A-79-25)	A. **Description**: This regulation defines standards for the clean-up and disposal of uranium mill tailings from inactive sites. Based on the EPA standards, the Department of Energy will take remedial action. In order to expedite clean up, the Agency is separating the timetables for the clean up and disposal sections of the regulation. The schedule for the disposal section is proposal in June 1980 and promulgation in December 1980. B. **Classification**: Major. C. **Statutory Authority**: UMTRCA 206, AEA 275; 42 USC 2022. D. **CFR Change**: 40 CFR 192. E. **Analysis**: EIS.	Stan Lichtman EPA (ANR 458) Washington, DC 20460 FTS: 8-557-8927 Comm: 703-557-8927	IFR: 45FR27366 (4/22/80) NPRM: 45FR27370 (4/22/80) NPRM: 6/80 FR: 10/80 FR: 12/80

SIGNIFICANT EPA REGULATIONS UNDER CONSIDERATION—Continued

Title	Summary	Contact	Timetable
RADIATION—Continued			
Environmental Standards for Uranium Mill Tailings (Active Sites) (SAN No. 1166A)	A. **Description**: The administrator is required to issue generally applicable standards for protecting the public health and safety, and the environment, from certain radiological and nonradiological hazards of uranium. These are the hazards associated with processing, keeping, transfering, and disposing of uranium byproduct material at sites which either (a) process the uranium ore primarily for its source material content or (b) dispose of the uranium byproduct material. B. **Classification**: Routine. C. **Statutory Authority**: UMTRCA 206 AEA 275(b); 42 USC 2022(b). D. **CFR Change**: 40 CFR 192.	Stan Lichtman EPA (ANR 458) Washington, DC 20460 FTS: 8-557-8927 Comm: 7-3-557-8927	NPRM: 3/81 FR: 10/81
SOLID WASTE			
The primary goals of the Resource Conservation and Recovery Act are 1) to improve the management of solid wastes in order to protect human health and the environment and 2) to conserve valuable material and energy resources. More specifically, the Act calls for State programs authorized by EPA to regulate hazardous waste management from generation through disposal, and for the States to regulate the disposal on land of all other solid wastes in accordance with minimum Federal criteria. The Act also establishes resource recovery and conservation as the preferred approach to solid waste management. The Act requires EPA to establish regulations and guidelines to achieve these objectives and to provide for financial and technical assistance to State and local governments, research and special studies, and public participation and education		
• *Hazardous Waste Criteria—Identification and Listing* (SAN No. 1191, Docket No 3001)	A. **Description**. This regulation defines wastes for control under the nationwide hazardous waste management program. It defines criteria for identifying characteristics of hazardous wastes, based on ignitability, corrosivity, reactivity, and extract procedure toxicity. It also defines criteria for listing hazardous wastes. Phase IB will define additional hazardous wastes; phase II will cover parts of the regulation requiring additional work to resolve issues, address public comments, and complete the administrative record. B. **Classification**: Major. C. **Statutory Authority**: RCRA 3001; 42 USC 6921 D. **CFR Change**: 40 CFR 261. E. **Analysis**: EIS, REG. ANALYSIS.	Alan Corson EPA (WH-565) Washington, DC 20460 FTS: 8-755-9187 Comm: 202-755-9187	ANPRM: 42FR22332 (5/2/77) NPRM: 43FR58946 (12/18/78) FR(PhaseIA): 45FR33084(5/19/80) FR(PhaseIB): 6/80 FR(PhaseII): 11/80
• *Standards for Owners and Operators of Hazardous Waste Treatment, Storage, and Disposal Facilities* (SAN No. 1194, Docket No. 3004)	A. **Description**: This regulation requires facilities that manage hazardous waste to meet certain standards for operating practices, location, and design. These standards have been set to protect the quality of air, surface-water, and groundwater B. **Classification**: Major. C. **Statutory Authority**: RCRA 3004; 42 USC 6924 D. **CFR Change**: 40 CFR 264, 265, 266. E. **Analysis**: EIS, REG. ANALYSIS.	John Lehman EPA (WH-565) Washington, DC 20460 FTS: 8-755-9185 Comm: 202-755-9185	ANPRM: 42FR22332 (5/2/77) NPRM: 43FR58946 (12/18/78) FR(Phase I): 45FR33154(5/19/80) FR(Phase II): 11/80
Guidelines for Federal Procurement Practices (SAN No 1200, Docket No. 6002(e)	A. **Description**: These guidelines are to help Federal agencies ensure procured products contain as much recycled material as possible. Section 6002(e) of RCRA directs EPA to prepare these guidelines to help maximize the energy and materials that the Federal Government recovers from solid waste. These guidelines will cover regulations for three different recycled materials – fly ash in cement and concrete, composed sewage sludge, and recycled paper products. B. **Classification**: Routine. C. **Statutory Authority**: RCRA 6002(e); 42 USC 6962 (e) D. **CFR Change**: 40 CFR 249.	John Heffelfinger EPA (WH-565) Washington, DC 20460 FTS: 8-755-9206 Comm: 202-755-9206	NPRM (Fly Ash): July 80 NPRM (Sewage): Late 80 NPRM (Paper): Early 81

SIGNIFICANT EPA REGULATIONS UNDER CONSIDERATION—Continued

Title	Summary	Contact	Timetable
TOXIC SUBSTANCES			
EPA is writing regulations under four sections of the Toxic Substances Control Act (TSCA): under Section 4, standards for the development of test data and rules that require the testing of specific chemical substances and mixtures; under Section 5, premanufacture notification rules and premanufacture testing guidance; a series of specific control actions under Section 6, including chemical hazard labeling warnings; and under Section 8, reporting and recordkeeping requirements.			
Health Test Standards for Chemical Substances and Mixtures (SAN No. 1130)	A. **Description**: This regulation establishes general provisions and requirements for testing. It covers the scope, purpose, authority, and applicability of testing requirements. It offers appropriate definitions, and it deals with confidentiality, public access to information, compliance and revision, and modification of test standards. B. **Classification**: Major. C. **Statutory Authority**: TSCA 4; 15 USC 2603. D. **CFR Change**: 40 CFR 770.	Sarah Robinson EPA (TS-792) Washington, DC 20460 FTS: 8-755-4894 Comm: 202-755-4894	NPRM: 44FR27334 (5/9/79) FR: 11/80
• *Test Rules for Chemical Substances and Mixtures — Chloromethane and Chlorinated Benzenes* (SAN No. 1131)	A. **Description**: This regulation will require specific chemical substances and mixtures (both individually and by chemical category), to be tested for specified health and environmental effects. B. **Classification**: Major. C. **Statutory Authority**: TSCA 4; 15 USC 2603 D. **CFR Change**: 40 CFR 771. E. Analysis: Reg. Analysis	Sarah Robinson EPA (TS-792) Washington, DC 20460 FTS: 8-755-4894 Comm: 202-755-4894	NPRM: 6/80
Standards for Development of Chronic Health Effects Data (SAN No. 1132)	A. **Description**: This regulation sets standards for (1) testing for oncogenic and non-oncogenic chronic effects and (2) good laboratory practices (GLP) for health effects testing. The chemical specific test rules will refer to these standards. B. **Classification**: Major. C. **Statutory Authority**: TSCA 4; 15 USC 2603 D. **CFR Change**: 40 CFR 772.	Sarah Robinson EPA (TS-792) Washington, DC 20460 FTS: 8-755-4894 Comm: 202-755-4894	NPRM: 44FR27334 (5/9/79) FR: 11/80
Standards For Development of Test Data (SAN No. 1461)	A. **Description**: This regulation sets standards for tests to determine health effects. The effects covered include acute and sub-chronic toxicity, mutagenicity, teratogenicity, and reproduction effects. The chemical specific test rules will refer to these standards. B. **Classification**: Routine C. **Statutory Authority**: TSCA 4, 15 USC 2603 D. **CFR Change**: 40 CFR 772	Sarah Robinson EPA (TS-792) Washington, DC 20460 FTS: 8-755-4894 Comm: 202-755-4894	NPRM: 44FR44054 (7/26/79) FR: 11/80
Standards for Development of Test Data (SAN No. 1462)	A. **Description**: This regulation will set standards for tests to determine physical and chemical properties, environmental fate, and ecological effects. The chemical specific test rules will refer to these standards. B. **Classification**: Routine. C. **Statutory Authority**: TSCA 4; 15 USC 2603. D. **CFR Change**: 40 CFR 772.	Sarah Robinson EPA (TS-792) Washington, DC FTS: 8-755-4894 Comm: 202-755-4894	NPRM: 6/80
• *Premanufacture Notification Requirements and Review Procedures* (SAN No. 1134)	A. **Description**: This regulation establishes procedures for chemical manufacturers to submit notices to EPA prior to manufacturing new chemical substances for commercial purposes. The regulation also includes notice forms which stipulate the data that manufacturers must submit and the format for their submissions. B. **Classification**: Major. C. **Statutory Authority**: TSCA 5; 15 USC 2604. D. **CFR Change**: 40 CFR 720. E. Analysis: Reg. Analysis	Warren Muir EPA (TS-792) Washington, DC 20460 FTS: 8-755-4894 Comm: 202-755-4894	NPRM: 44FR2242 (1/10/79) Interim policy: 44FR28564(5/15/79) RPRM: 44FR59764 (10/16/79) FR: Fall 1980

SIGNIFICANT EPA REGULATIONS UNDER CONSIDERATION—Continued

Title	Summary	Contact	Timetable
	TOXIC SUBSTANCES—Continued		
Asbestos-Containing Material in Schools (SAN No. 1519)	A. **Description**: An initial rule, probably interim final under the procedures in TSCA 6(d), will require schools to inspect and identify friable asbestos-containing materials. Subsequent regulations would require that removal measures be taken to protect school children and school employees from all unreasonable risks of exposure to asbestos. B. **Classification**: Major. C. **Statutory Authority**: TSCA 6; 15 USC 2605. D. **CFR Change**: 40 CFR 765	Larry Longanecker EPA (TS-794) Washington, DC 20460 FTS: 8-755-6660 Comm: 202-755-6660	ANPRM: 44FR54676 (9/20/79) IFR(Inspection) 6/80 NPRM(Removal): 11/80 FR(Removal): 5/81
Asbestos-Containing Materials in Commercial Buildings and Commercial Vessels (SAN No. 1550)	A. **Description**: This regulation will reduce/eliminate unreasonable risks of exposure to asbestos in commercial vessels and commercial buildings. A risk assessment study is due for completion in September 1980. B. **Classification**: Major. C. **Statutory Authority**: TSCA 6; 15 USC 2605 D. **CFR Change**: EPA will later assign a CFR Part Number to this regulation. E. **Analysis**: Reg. Analysis	Larry Longanecker EPA (TS-794) Washington, DC 20460 FTS 8-755-6660 Comm: 202-755-6660	ANPRM: 4/81 NPRM: 8/82
• *Rules Restricting the Commercial and Industrial Use of Asbestos Fibers* (SAN No. 1627)	A. **Description**: The Agency is investigating regulation of the commercial and industrial use of asbestos. Among the options under consideration are: (1) prohibiting the non-essential uses of asbestor; (2) establishing quotas for the use of asbestos; and (3) requiring the labeling of asbestos and asbestos-containing products. B. **Classification**: Major C. **Statutory Authority**: TSCA6; 15 USC 2605 D. **CFR Change**: 40 CFR 763 E. **Analysis**: Reg. Analysis	Richard Guimond EPA (TS-794) Washington, D.C. 20460 FTS: 8-755-8023 Comm: 202-755-8023	ANPRM: 44FR60056 (10/17/79) NPRM: 12/80
• *Chemical Hazard Warning Labels* (SAN No. 1530)	A. **Description**: Two concurrent rules, separately addressing acute and cancer hazards, would require chemical manufacturers to affix warning labels to containers they distribute in commerce. The warning labels would inform industrial users of hazardous chemical substances and mixtures about health and safety hazards. The primary purpose is to assure that workers know: (1) the recognized hazards, (2) the measures that should be taken to avoid or control exposure, and (3) the steps to be taken if exposure occurs. B. **Classification**: Major. C. **Statutory Authority**: TSCA 6(a)(3); 15 USC 2605(a)(3). D. **CFR Change**: 40 CFR 765. E. **Analysis**: REG. ANALYSIS.	Irwin L. Auerbach EPA (TS-794) Washington, DC 20460 FTS: 8-755-8963 Comm: 202-755-8963	NPRM: 7/80 FR: 7/81
Follow-up of New Chemical Substances (SAN No. 1531)	A. **Description**: This rule will establish procedures and data reporting requirements to be used in issuing significant new use rules and follow-up reporting rules related to new chemical substances. B. **Classification**: Major. C. **Statutory Authority**: TSCA 8, 5(a)(2); 15 USC 2607, 2604(a)(2). D. **CFR Change**: EPA will later assign a CFR Part Number to this regulation.	Warren Muir EPA (TS-794) Washington, DC 20460 FTS: 8-755-4894 Comm: 202-755-4894	ANPRM: 6/80 NPRM: 12/80 FR: Summer 1981

SIGNIFICANT EPA REGULATIONS UNDER CONSIDERATION—Continued

Title	Summary	Contact	Timetable
	TOXIC SUBSTANCES—Continued		
Preliminary Assessment Information (SAN No. 1137, Docket No. OTS-082004)	A. **Description**: This rule is the first in a series of reporting regulations designed to obtain information for pre-regulatory assessment on toxic substances. The rule would apply to manufacturers of 2300 chemicals, requiring them to fill out a short form on general production, use and exposure for the chemicals. Additional chemicals will be subject to this rule in later amendments. More detailed information will be the subject of separate section 8(a) rules. B. **Classification**: Routine. C. **Statutory Authority**: TSCA 8(a); 15 USC 2607(a) D. **CFR Change**: 40 CFR 712.	Jeanette Wiltse EPA (TS-793) Washington, DC 20460 FTS: 8-426-2632 Comm: 202-426-2632	ANPRM: 44FR37517 (6/27/79) NPRM: 45FR13646 (2/29/80) FR: 11/80
General Assessment Information-Reporting 8 (a) - (SAN No. 1551)	A. **Description**: This rule will require chemical manufacturers and processors to supply information on their products—including exposures, by-products, and toxicity. EPA and other agencies will use the information to identify chemicals for possible regulation. B. **Classification**: Routine. C. **Statutory Authority**: TSCA 8(a); 15 USC 2607(a) D. **CFR Change**: 40 CFR 712.	Jeanette Wiltse EPA (TS-793) Washington, DC 20460 FTS: 8-426-2632 Comm: 202-426-2632	ANPRM: 6/80 NPRM: 7/81 FR: 12/81
Detailed Assessment Information Reporting 8(a) (SAN No. 1553)	A. **Description**: This is the third in a series of reporting regulations to obtain pre-regulatory assessment information. This rule will help provide detailed information on chemicals for which regulatory controls are being developed. The rule will apply to chemical manufacturers and processors. B. **Classification**: Routine. C. **Statutory Authority**: TSCA 8(a); 15 USC 2607(a) D. **CFR Change**: 40 CFR 712(D).	Jeanette Wiltse EPA (TS-793) Washington, DC 20460 FTS: 8-426-2632 Comm: 202-426-2632	ANPRM: 6/80 NPRM: 4/81 FR: 10/81
Standards for Excluding Small Manufacturers and Processors from TSCA 8(a) (SAN No. 1529)	A. **Description**: This rule will establish a general standard which the Administrator can use under most section 8(a) rules to specify which manufacturers qualify as "small" for the purpose of exemptions. B. **Classification**: Routine. C. **Statutory Authority**: TSCA 8(a); 15 USC 2607(a) D. **CFR Change**: 40 CFR 712.	Jeanette Wiltse EPA (TS-793) Washington, DC 20460 FTS: 8-426-2632 Comm: 202-426-2632	ANPRM: 7/80
Asbestos Use and Substitutes Reporting (SAN No. 1552)	A. **Description**: This rule will use the reporting authority of section 8(a) to obtain information on the industrial and commercial uses of asbestos fiber EPA will use this information to support regulation of asbestos under TSCA section 6. B. **Classification**: Routine. C. **Statutory Authority**: TSCA 8(a); 15 USC 2607(a) D. **CFR Change**: 40 CFR 763.	Jeanette Wiltse EPA (TS-793) Washington, DC 20460 FTS: 8-426-2632 Comm: 202-426-2632	ANPRM: 44FR60061 (10/17/79) NPRM: 7/80 FR: 1/81
Records and Reports of Allegations of Significant Adverse Reactions to Health or the Environment (SAN No. 1138, Docket No. OPTS-083001)	A. **Description**: This regulation will establish procedures for recording and reporting allegations of adverse reactions to health or the environment. B. **Classification**: Routine. C. **Statutory Authority**: TSCA 8(c), 15 USC 2607(c) D. **CFR Change**: 40 CFR 717.	Jeanette Wiltse EPA (TS-793) Washington, DC 20460 FTS: 8-426-2632 Comm: 202-426-2632	ANPRM: 42FR56686 (3/11/77) NPRM: 5/80 FR: 12/80

SIGNIFICANT EPA REGULATIONS UNDER CONSIDERATION—Continued

Title	Summary	Contact	Timetable
TOXIC SUBSTANCES—Continued			
Health and Safety Data Reporting (SAN No. 1139, Docket No. OTS-084003)	A. **Description**: This rule would require chemical manufacturers, processors, distributors, and others who possess health and safety studies on specifically listed chemicals to submit them to EPA. EPA will use these studies to assess the health and environmental effects of the chemicals and to determine what kind of testing rules the agency should promulgate under section 4(a) of TSCA. EPA will amend this rule from time to time by adding to the list of chemicals subject to this rule. B. **Classification**: Routine. C. **Statutory Authority**: TSCA 8(d); 15 USC 2607(d). D. **CFR Change**: 40 CFR 716.	Jeanette Wiltse EPA (TS-793) Washington, DC 20460 FTS: 8-426-2632 Comm: 202-426-2632	NPRM: 44FR77470 (12/31/79) FR: 9/80
Exports of Toxic Substances; Notification of Export Under Section 12(b) (SAN No. 1624)	A. **Description**: This rule will establish procedures for notices of export of chemicals subject to certain TSCA section 4, 5, 6, or 7 actions. B. **Classification**: Routine. C. **Statutory Authority**: TSCA 12(b), 15 USC 2611(b). D. **CFR Change**: 40 CFR 707	Suzanne Rudzinski EPA (TS-793) Washington, D.C. 20460 FTS: 8-755-5851 Comm: 202-755-5851	NPRM: 44FR56856 (10/2/79) FR: 7/80

WATER QUALITY

The goal of the Clean Water Act is to achieve fishable and swimmable water quality in the Nation's waters by 1983. The Act defines two major strategies for reaching this goal: 1) limitations on effluent discharges from industrial and municipal sources and 2) adoption by the States of water quality standards for specific bodies of water. EPA is presently working on regulations which involve both strategies. Under Sections 301, 304, 306, and 307 of the Act, the Agency is developing regulations to control the discharge of toxic and other substances from different industries. Under Sections 303 and 304, the Agency is revising the program under which States adopt water quality standards.

In addition, the Act requires that EPA address spills of oil and hazardous substances under Section 311, that it develop guidelines for permissable dumping of dredged and fill material under Section 404, and that it develop guidelines for land disposal of sewage sludge under Section 405.

Section 402 requires dischargers to apply for permits from the State or EPA before they can discharge pollutants. EPA has set up the National Pollutant Discharge Elimination System (NPDES) in order to fulfill this requirement. NPDES permits are the main enforcement mechanism provided for in the Act.

The basic structure of the Act was created by the Federal Water Pollution Control Act of 1972. The 1977 amendments changed the name to the Clean Water Act and supplied the impetus for most of the regulations now under development.

Statewide 208 Dredged or Fill Regulatory Programs (SAN No. 1401)	A. **Description**: This regulation will allow states to control certain minor discharges of dredged and fill material through Best Management Practices (BMP) under a statewide 208 regulatory program rather than through State 404 programs. B. **Classification**: Routine. C. **Statutory Authority**: CWA 208(b)(4); 33 USC 1288 (b)(4) D. **CFR Change**: Addition to 40 CFR 35.1500.	David Ziegler EPA (WH-554) Washington, DC 20460 FTS: 8-426-2474 Comm: 202-426-2474	NPRM: 10/80
Requirements for Application for 301(c) Variances (SAN No. 1404)	A. **Description**: Section 301(c) of the Clean Water Act provides for waivers on economic grounds of the strict requirements of BAT controls for non-toxic, non-conventional pollutants. This regulation will establish application ground rules and national criteria for granting variances from BAT requirements. B. **Classification**: Routine C. **Statutory Authority**:CWA 301(i)(B);33 USC 1311(i)(B) D. **CFR Change**: Addition to 40 CFR 125.	Ed Kramer EPA (EN-336) Washington, DC 20460 FTS: 8-755-0750 Comm: 202-755-0750	NPRM: 12/80 FR: 8/81

SIGNIFICANT EPA REGULATIONS UNDER CONSIDERATION—Continued

Title	Summary	Contact	Timetable
	WATER QUALITY—Continued		
Innovative Technology for Industrial Discharge (SAN No. 1608)	A. **Description**: Section 301(k) of the Clean Water Act allows NPDES permit applicants to request an extension until July 1, 1987 of the compliance date for BAT if they can demonstrate that they are developing an innovative technology. This technology must either (1) be superior to BAT or (2) be equivalent to BAT and allow significant cost savings. This regulation will implement Section 301(k). B. **Classification**: Routine C. **Statutory Authority**: CWA 301(k); 33 USC 1311(k) D. **CFR Change**: Addition to 40 CFR 125.	Tom Laverty EPA (EN-336) Washington, DC 20460 FTS: 8-426-7010 Comm: 202-426-7010	ANPRM: 7/80

The Clean Water Act and a modified consent decree in *NRDC v. Costle*, 12 ERC 1833(D.D.C. 1979), require that EPA develop guidelines to control toxic substances in industrial effluents. Section 307(a) of the Act identifies 65 toxic pollutants; they are listed in Table 1 of Committee Print 95-30 of the Committee on Public Works and Transportation, House of Representatives.

Section 304 requires that EPA determine the best available technology (BAT) to control toxic pollutants from existing point sources. BAT will consist of the most effective technology which can still be economically achieved by the affected industries. EPA will also determine best conventional technology (BCT) which industries can use on conventional pollutants which do not require BAT.

Under Section 306 of the Act, EPA is establishing new source performance standards (NSPS) for new plants. Under Section 307(b) and 307(c), EPA will set pretreatment standards for both existing and new sources which discharge into municipal waste treatment systems. These sets of standards will in most cases require technologies equivalent to BAT.

Major issues raised in setting effluent guidelines are:

(1) Identification of the major pollutants discharged to and from treatment systems;
(2) Determination of the major technology options to control these pollutants;
(3) Determination of the capital and annual costs of the technology options; and
(4) Determination of the resulting economic impacts.

EPA is developing guidelines for each of the industries listed below.

• *Iron and Steel Manufacturing* (SAN No. 1405)	A. **Classification**: Major. B. **Statutory Authority**: CWA 301, 304, 306, 307, 501; 33 USC 1311, 1314, 1316, 1317, 1361 C. **CFR Change**: Revision to 40 CFR 420. D. **Analysis**: Reg. Analysis	Edward Dulaney EPA (WH-552) Washington, DC 20460 FTS: 8-426-2586 Comm: 202-426-2586	NPRM: 12/80 FR: 6/81
Petroleum Refining Point Source Category (SAN No. 1406)	A. **Classification**. Routine. B. **Statutory Authority**: CWA 301, 304, 306, 307, 501; 33 USC 1311, 1314, 1316, 1317, 1361 C. **CFR Change**: Revision to 40 CFR 419.	John Lum EPA (WH-522) Washington, DC 20460 FTS: 8-426-4617 Comm: 207-426-4617	NPRM: 44FR75926 (12/21/79) FR: 3/81
Timber Products Processing (SAN No. 1407)	A. **Classification**: Routine. B. **Statutory Authority**: CWA 301, 304, 306, 307, 501; 33 USC 1311, 1314, 1316, 1317, 1361 C. **CFR Change**: Revision to 40 CFR 429.	Richard E. Williams EPA (WH-552) Washington, DC 20460 FTS: 8-426-2554 Comm: 202-426-2554	NPRM: 44FR62810 (10/31/79) FR: 10/80
• *Steam Electric Power Generating Point Source Category* (SAN No. 1408)	A. **Classification**: Major. B. **Statutory Authority**: CWA 301, 304, 306, 307, 501; 33 USC 1311,1314,1316,1317,1361 C. **CFR Change**: Revision to 40 CFR 423. D. **Analysis**: REG. ANALYSIS.	John Lum EPA (WH-552) Washington, DC 20460 FTS: 8-426-4617 Comm: 202-426-4617	NPRM: 7/80 FR: 3/81
Leather Tanning and Finishing (SAN No. 1409)	A. **Classification**: Routine. B. **Statutory Authority**: CWA 301, 304, 306, 307, 501; 33 USC 1311, 1314, 1316, 1317, 1361 C. **CFR Change**: Revision to 40 CFR 425.	Donald F. Anderson EPA (WH-552) Washington, DC 20460 FTS: 8-426-2707 Comm: 202-426-2707	NPRM: 44FR38746 (7/2/79) FR: 2/81
Nonferrous Metals Manufacturing (SAN No. 1410)	A. **Classification**: Major. B. **Statutory Authority**: CWA 301, 304, 306, 307, 501; 33 USC 1311, 1314, 1316, 1317, 1361 C. **CFR Change**: Revision to 40 CFR 421.	Patricia Williams EPA (WH-552) Washington, DC 20460 FTS: 8-426-2586 Comm: 202-426-2586	NPRM: 5/81 FR: 12/81

SIGNIFICANT EPA REGULATIONS UNDER CONSIDERATION—Continued

Title	Summary	Contact	Timetable
	WATER QUALITY—Continued		
Paint Formulation (SAN No 1411)	A. **Classification**: Routine. B. **Statutory Authority**: CWA 301, 304, 306, 307, 501; 33 USC 1311, 1314, 1316, 1317, 1361 C. **CFR Change**: Revision to 40 CFR 446.	James Berlow EPA (WH-552) Washington, DC 20460 FTS: 8-426-2554 Comm: 202-426-2554	NPRM: 45FR912 (1/3/80) FR: 4/81
Ink Formulation (SAN No 1411A)	A. **Classification**: Routine. B. **Statutory Authority**: CWA 301, 304, 306, 307, 501; 33 USC 1311, 1314, 1316, 1317, 1361 C. **CFR Change**: Revision to 40 CFR 447.	James Berlow EPA (WH-552) Washington, DC 20460 FTS: 8-426-2554 Comm: 202-426-2554	NPRM: 45FR928 (1/3/80) FR: 4/81
Ore Mining and Dressing Point Source Category (SAN No. 1413)	A. **Classification**: Routine. B. **Statutory Authority**: CWA 301, 304, 306, 307, 501; 33 USC 1311, 1314, 1316, 1317, 1361 C. **CFR Change**: Revision to 40 CFR 440.	B. Matthew Jarrett EPA (WH-552) Washington, DC 20460 FTS: 8-426-2707 Comm: 202-426-2707	NPRM: 10/80 FR: 7/81
Coal Mining Point Source Category (SAN No. 1414)	A. **Classification**: Routine. B. **Statutory Authority**: CWA 301, 304, 306, 307, 501; 33 USC 1311, 1314, 1316, 1317, 1361 C. **CFR Change**: Revision to 40 CFR 434.	Dennis Rudy EPA (WH-552) Washington, DC 20460 FTS: 8-426-2707 Comm: 202-426-2707	NPRM: 10/80 FR: 4/81
Organic Chemicals (SAN No 1415)	A. **Classification**: Major. B. **Statutory Authority**: CWA 301, 304, 306, 307, 501; 33 USC 1311, 1314, 1316, 1317, 1361 C. **CFR Change**: Revision to 40 CFR 414. D. **Analysis**: UCIA.	Maria M. Irizarry EPA (WH-552) Washington, DC 20460 FTS: 8-426-2497 Comm: 202-426-2497	NPRM: 6/81 Final: 5/82
Inorganic Chemicals Manufacturing Point Source Category (SAN No. 1416)	A. **Classification**: Major. B. **Statutory Authority**: CWA 301, 304, 306, 307, 501; 33 USC 1311, 1314, 1316, 1317, 1361 C. **CFR Change**: Revision to 40 CFR 415.	Elwood Martin EPA (WH-552) Washington, DC 20460 FTS: 8-426-2582 Comm: 202-426-2582	NPRM: 7/80 FR: 2/81
Textile Mills (SAN No. 1417)	A. **Classification**: Routine. B. **Statutory Authority**: CWA 301, 304, 306, 307, 501; 33 USC 1311, 1314, 1316, 1317, 1361 C **CFR Change**: Revision to 40 CFR 410.	James Berlow EPA (WH-552) Washington, DC 20460 FTS: 8-426-2554 Comm: 202-426-2554	NPRM: 44FR62204 (10/29/79) FR: 4/81
Plastics & Synthetics (SAN No. 1418)	A. **Classification**: Major. B. **Statutory Authority**: CWA 301, 304, 306, 307, 501; 33 USC 1311, 1314, 1316, 1317, 1361 C. **CFR Change**: Revision to 40 CFR 416.	H. E. Wise EPA (WH-552) Washington, DC 20460 FTS: 8-426-2497 Comm: 202-426-2497	NPRM: 6/81 FR: 5/82
• *Pulp, Paper, and Paperboard* (SAN No. 1419)	A. **Classification**: Major. B. **Statutory Authority**: CWA 301, 304, 306, 307, 501; 33 USC 1311, 1314, 1316, 1317, 1361 C. **CFR Change**: Revision to 40 CFR 430. D. **Analysis**: REG. ANALYSIS.	Robert Dellinger EPA (WH-552) Washington, DC 20460 FTS: 8-426-2554 Comm: 202-426-2554	NPRM 9/80 FR: 6/81
Rubber Processing (SAN No 1420)	A. **Classification**: Routine B. **Statutory Authority**: CWA 301, 304, 306, 307, 501; 33 USC 1311, 1314, 1316, 1317, 1361 C. **CFR Change**: Revision to 40 CFR 428.	J. S. Vitalis EPA (WH-552) Washington, DC 20460 FTS: 8-426-2497 Comm: 202-426-2497	NPRM: 44FR75016 (12/18/79) Final: 11/80
Soap and Detergents Manufacturing (SIC 2841) (SAN No. 1421)	A. **Classification**: Routine. B. **Statutory Authority**: CWA 301, 304, 306, 307, 501; 33 USC 1311, 1314, 1316, 1317, 1361 C. **CFR Change**: Revision to 40 CFR 417.	E. H. Forsht EPA (WH-552) Washington, DC 20460 FTS: 8-426-2497 Comm: 202-426-2497	NOTICE: 11/80

SIGNIFICANT EPA REGULATIONS UNDER CONSIDERATION—Continued

Title	Summary	Contact	Timetable
WATER QUALITY—Continued			
Auto and Other Laundries (SAN No. 1422)	A. Classification: Routine. B. Statutory Authority: CWA 301, 304, 306, 307, 501; 33 USC 1311, 1314, 1316, 1317, 1361 C. CFR Change: 40 CFR 444.	Elwood Martin EPA (WH-552) Washington, DC 20460 FTS: 8-426-2582 Comm: 202-426-2582	NPRM: 1/81 FR: 8/81
Miscellaneous Chemicals: Adhesives and Sealants (SAN No. 1423)	A. Classification: Routine. B. Statutory Authority: CWA 301, 304, 306, 307, 501; 33 USC 1311, 1314, 1316, 1317, 1361. C. CFR Change: 40 CFR 456.	E. H. Forsht EPA (WH-552) Washington, DC 20460 FTS: 8-426-2497 Comm: 202-426-2497	Notice: 2/81
Miscellaneous Chemicals: Explosives Manufacturing (SAN No. 1424)	A. Classification: Routine. B. Statutory Authority: CWA 301, 304, 306, 307, 501; 33 USC 1311, 1314, 1316, 1317, 1361 C. CFR Change: 40 CFR 457.	Elwood Martin EPA (WH-552) Washington, DC 20460 FTS: 8-426-2582 Comm: 202-426-2582	NPRM: 1/81 FR: 8/81
Miscellaneous Chemicals: Gum and Wood (SAN No. 1425)	A. Classification: Routine. B. Statutory Authority: CWA 301, 304, 306, 307, 501; 33 USC 1311, 1314, 1316, 1317, 1361 C. CFR Change: 40 CFR 454.7.	Arthur Shattuck EPA (WH-552) Washington, DC 20460 FTS: 8-426-2707 Comm: 202-426-2707	NPRM: 44FR68710 (11/29/79) FR: 10/80
Miscellaneous Chemicals: Pesticides (SAN No. 1426)	A. Classification: Routine. B. Statutory Authority: CWA 301, 304, 306, 307, 501; 33 USC 1311, 1314, 1316, 1317, 1361 C. CFR Change: 40 CFR 455.	George Jett EPA (WH-552) Washington, DC 20460 FTS: 8-426-2497 Comm: 202-426-2497	NPRM: 1/81 FR: 10/81
Miscellaneous Chemicals: Pharmaceuticals (SAN No. 1427)	A. Classification: Routine. B. Statutory Authority: CWA 301, 304, 306, 307, 501; 33 USC 1311, 1314, 1316, 1317, 1361 C. CFR Change: 40 CFR 439.	Joe Vitalis EPA (WH-552) Washington, DC 20460 FTS: 8-426-2497 Comm: 202-426-2497	ANPRM: 45FR16851 (3/14/80) NPRM: 1/81 FR: 8/81
Electroplating (SAN No. 1428)	A. Classification: Major. B. Statutory Authority: CWA 301, 304, 306, 307, 501; 33 USC 1311, 1314, 1316, 1317, 1361 C. CFR Change: 40 CFR 413. D. Analysis: UCIA.	Dwight Hlustik EPA (WH-552) Washington, DC 20460 FTS: 8-426-2582 Comm: 202-426-2582	NPRM: 4/81 FR: 11/81
Photographics (SAN No. 1429)	A. Classification: Routine. B. Statutory Authority: CWA 301, 304, 306, 307, 501; 33 USC 1311, 1314, 1316, 1317, 1361 C. CFR Change: 40 CFR 459.	John Newborough EPA (WH-552) Washington, DC 55460 FTS: 8-426-2582 Comm: 202-426-2582	NPRM: 1/81 FR: 8/81
Mechanical Products (SAN No. 1430)	A. Classification: Routine. B. Statutory Authority: CWA 301, 304, 306, 307, 501; 33 USC 1311, 1314, 1316, 1317, 1361 C. CFR Change: 40 CFR 433.	Dwight Hlustik EPA (WH-552) Washington, DC FTS: 8-426-2582 Comm: 202-426-2582	NPRM: 4/81 FR: 11/81
Electrical & Electronic Products (SAN No. 1431)	A. Classification: Routine. B. Statutory Authority: CWA 301, 304, 306, 307; 33 USC 1311,1314,1316,1317. C. CFR Change: 40 CFR 469.	Frank Hurd EPA (WH-552) Washington, DC 20460 FTS: 8-426-2582 Comm: 202-426-2582	NPRM: 4/81 FR: 11/81
Metal Moulding and Casting Foundries (SAN No. 1432)	A. Classification: Major. B. Statutory Authority: CWA 301, 304, 306, 307, 501; 33 USC 1311, 1314, 1316, 1317, 1361 C. CFR Change: 40 CFR 464.	John Williams EPA (WH-552) Washington, DC 20460 FTS: 8-426-2586 Comm: 202-426-2586	NPRM: 12/80 FR: 7/81

SIGNIFICANT EPA REGULATIONS UNDER CONSIDERATION—Continued

Title	Summary	Contact	Timetable
	WATER QUALITY—Continued		
Copper Forming (SAN No. 1433)	A. **Classification**: Routine. B. **Statutory Authority**: CWA 301, 304, 306, 307, 501; 33 USC 1311, 1314, 1316, 1317, 1361 C. **CFR Change**: 40 CFR 468.	John Williams EPA (WH-552) Washington, DC 20460 FTS: 8-426-2586 Comm: 202-426-2586	NPRM: 2/81 FR: 9/81
Battery Manufacturing (SAN No. 1434)	A. **Classification**: Routine. B. **Statutory Authority**: CWA 301, 304, 306, 307, 501; 33 USC 1311, 1314, 1316, 1317, 1361 C. **CFR Change**: 40 CFR 461.	Mary Belefski EPA (WH-552) Washington, DC 20460 FTS: 8-426-2586 Comm: 202-426-2586	NPRM: 12/80 FR: 7/81
Coil Coating (SAN No. 1435)	A. **Classification**: Routine. B. **Statutory Authority**: CWA 301, 304, 306, 307, 501; 33 USC 1311, 1314, 1316, 1317, 1361 C. **CFR Change**: 40 CFR 465.	Rex Reges EPA (WH-552) Washington, DC 20460 FTS: 8-426-2586 Comm: 202-426-2586	NPRM: 9/80 FR: 4/81
Plastics Molding and Forming (SAN No. 1436)	A. **Classification**: Routine. B. **Statutory Authority**: CWA 301, 304, 306, 307, 501; 33 USC 1311, 1314, 1316, 1317, 1361 C. **CFR Change**: 40 CFR 463.	Robert W. Hardy EPA (WH-552) Washington, DC 20460 FTS: 8-426-2586 Comm: 202-426-2586	NPRM: 8/81 FR: 3/82
Porcelain Enameling (SAN No. 1437)	A. **Classification**: Routine. B. **Statutory Authority**: CWA 301, 304, 306, 307, 501; 33 USC 1311, 1314, 1316, 1317, 1361 C. **CFR Change**: 40 CFR 466.	Catherine M. Lowry EPA (WH-552) Washington, DC 20460 FTS: 8-426-2586 Comm: 202-426-2586	NPRM: 10/80 FR: 5/81
Aluminum Forming (SAN No. 1438)	A. **Classification**: Routine B. **Statutory Authority**: CWA 301, 304, 306, 307, 501; 33 USC 1311,1314,1316,1317,1361 C. **CFR Change**: 40 CFR 467.	Janet Goodwin EPA (WH-552) Washington, DC 20460 FTS: 8-426-2586 Comm: 202-426-2586	NPRM: 3/81 FR: 9/81
Nonferrous Metals Forming (SAN No. 1568)	A. **Classification**: Routine. B. **Statutory Authority**: CWA 301, 304, 306, 307, 501; 33 USC 1311, 1314, 1316, 1317, 1361 C. **CFR Change**: 40 CFR 471.	Patricia Williams EPA (WH-552) Washington, DC 20460 FTS: 8-426-2586 Comm: 202-426-2586	NPRM: 11/82 FR: 6/83
Fruits and Vegetables (SAN No. 1569)	A. **Classification**: Routine B. **Statutory Authority**: CWA 301, 304, 306, 307, 501; 33 USC 1311, 1314, 1316, 1317, 1361 C. **CFR Change**: Revisions to 40 CFR 407.	Gary Kasaoka EPA (WH-552) Washington, DC 20460 FTS: 8-426-2707 Comm: 202-426-2707	NPRM: 3/81 FR: 10/81
Poultry (SAN No. 1602)	A. **Classification**: Routine B. **Statutory Authority**: CWA 301, 304, 306, 307, 501; 33 USC 1311, 1314, 1316, 1317, 1361 C. **CFR Change**: Revisions to 40 CFR 432.	Arthur Shattuck EPA (WH-552) Washington, DC 20460 FTS: 8-426-2707 Comm: 202-426-2707	NPRM: 9/81
Beverages (SAN No. 1603)	A. **Classification**: Routine B. **Statutory Authority**: CWA 301, 304, 306, 307, 501; 33 USC 1311, 1314, 1316, 1317, 1361 C. **CFR Change**: Additions to 40 CFR 438.	Arthur Shattuck EPA (WH-552) Washington, DC 20460 FTS: 8-426-2707 Comm: 202-426-2707	NPRM: 9/81
Edible Oils (SAN No. 1572)	A. **Classification**: Routine. B. **Statutory Authority**: CWA 301, 304, 306, 307, 501; 33 USC 1311, 1314, 1316, 1317, 1361 C. **CFR Change**: Additions to 40 CFR 462.	Arthur Shattuck EPA (WH-552) Washington, DC 20460 FTS: 8-426-2707 Comm: 202-426-2707	NPRM: 9/81

SIGNIFICANT EPA REGULATIONS UNDER CONSIDERATION—Continued

Title	Summary	Contact	Timetable
	WATER QUALITY—Continued		
Dairy (SAN No. 1573)	A. **Classification**: Routine B. **Statutory Authority**: CWA 301, 304, 306, 307, 316; 33 USC 1311, 1314, 1316, 1317, 1326 C. **CFR Change**: Revisions to 40 CFR 405.	Mark L. Mjoness EPA (WH-552) Washington, DC 20460 FTS: 8-426-2554 Comm: 202-426-2554	NPRM: 3/81 FR: 10/81
Meat Packing (SAN No. 1574)	A. **Classification**: Routine. B. **Statutory Authority**: CWA 301, 304, 306, 307, 316; 33 USC 1311, 1314, 1316, 1317, 1326 C. **CFR Change**: Revision to 40 CFR 432.	Cal Dysinger EPA (WH-552) Washington, DC 20460 FTS: 8-426-2707 Comm: 202-426-2707	NPRM: Fall 1980 FR: Spring 1981
Beet Sugar Processing (SAN No. 1575)	A. **Classification**: Routine B. **Statutory Authority**: CWA 301, 304, 306, 307, 316; 33 USC 1311, 1314, 1316, 1317, 1326 C. **CFR Change**: Revision to 40 CFR 409.	Mark L. Mjoness EPA (WH-552) Washington, DC 20460 FTS: 8-426-2554 Comm: 202-426-2554	NPRM: Fall 1981
Grain Mills (SAN No. 1576)	A. **Classification**: Routine B. **Statutory Authority**: CWA 301, 304, 306, 307, 316; 33 USC 1311, 1314, 1316, 1317, 1326 C. **CFR Change**: Revision to 40 CFR 406.	Mark L. Mjoness EPA (WH-552) Washington, DC 20460 FTS: 8-426-2554 Comm: 202-426-2554	NPRM: 9/80
Cane Sugar Refining (SAN No. 1577)	A. **Classification**: Routine. B. **Statutory Authority**: CWA 301, 304, 306, 307, 316; 33 USC 1311, 1314, 1316, 1317, 1326 C. **CFR Change**: Revisions to 40 CFR 409.	Mark L. Mjoness EPA (WH-552) Washington, DC 20460 FTS: 8-426-2554 Comm: 202-426-2554	NPRM: 3/81 FR: 10/81
Seafood Processing (SAN NO. 1625)	A. **Classification**: Routine B. **Statutory Authority**: CWA 301, 304, 306, 307; 33 USC 1311, 1314, 1316, 1317 C. **CFR Change**: Revision to 40 CFR 408	Cal Dysinger EPA (WH-552) Washington, D. C. 20460 FTS: 8-426-2707 Comm: 202-426-2707	NPRM: 11/80
Modified pH Standard for Effluent Guideline Limitations (SAN No. 1629)	A. **Description**: This regulation would adjust effluent guideline limitations for pH to require less than 100% compliance of pH values on a monthly basis for industrial dischargers whose NPDES permits require continuous monitoring. It would also limit the duration of individual excursions. B. **Classification**: Routine C. **Statutory Authority**: CWA 301, 304; 33 USC 1311, 1314 D. **CFR Change**: Revision 40 CFR 401	Russell Roegner EPA (WH-586) Washington, D. C. 20460 FTS: 8-755-3624 Comm: 202-755-3624	NPRM: 10/80
Revision of Water Quality Standards Regulation (SAN No. 1441)	A. **Description**: This regulation may require States to adopt Water Quality Standards for some toxic pollutants covered by ambient water quality criteria. One effect of this will be that dischargers (both municipal and industrial) may have to install treatment technology beyond that required by Best Practical Wastewater Treatment Technology (BPWTT) or Best Available Technology (BAT) guidelines. B. **Classification**: Major. C. **Statutory Authority**: CWA 303; 33 USC 1313. D. **CFR Change**: 40 CFR 35.1550. E. **Analysis**: REG. ANALYSIS.	David Sabock EPA (WH-585) Washington, DC 20460 FTS: 8-245-3042 Comm: 202-245-3042	ANPRM: 43FR29588 (7/10/78) NPRM: 9/80 Final: 5/81
Quality Criteria for Water: Volume II (SAN No. 1442)	A. **Description**: The consent decree in *NRDC v. Train* requires that EPA establish ambient water quality criteria for 65 pollutants. The States will refer to this guidance when they establish water quality standards. This guidance is an important Agency decision. B. **Classification**: Guidance C. **Statutory Authority**: CWA 304; 33 USC 1314. D. **CFR Change**: This action will not be codified in CFR..	Frank Gostomski EPA (WH-585) Washington, DC FTS: 8-245-3042 Comm: 202-245-3042	NPRM(27): 44FR15926 (3/15/79) NPRM(26): 44FR43660 (7/25/79) NPRM(12): 44FR56628 (10/1/79) FR: 9/80

SIGNIFICANT EPA REGULATIONS UNDER CONSIDERATION—Continued

Title	Summary	Contact	Timetable
	WATER QUALITY—Continued		
Addition of Ammonia to Toxics List (SAN No. 1578)	A. **Description**: This action considers adding ammonia to the section 307(a) list of toxic pollutants. B. **Classification**: Routine. C. **Statutory Authority**: CWA 307(a); 33 USC 1317(a) D. **CFR Change**: This action will not be codified in CFR.	Frank Gostomski EPA (WH-585) Washington, DC 20460 FTS: 8-245-3042 Comm: 202-245-3042	NPRM: 45FR803 (1/3/80) FR: 9/80
Amendments to General Pretreatment Regulation (SAN No. 1502)	A. **Description**: These amendments, written under a settlement agreement with industry plaintiffs who sued EPA, clarify the existing General Pretreatment Regulation (43FR27736 – June 26, 1978). B. **Classification**: Routine. C. **Statutory Authority**: CWA 307; 33 USC 1317 D. **CFR Change**: 40 CFR 403.	William R. Diamond EPA (EN-336) Washington, DC 20460 FTS: 8-755-0750 Comm: 202-755-0750	NPRM: 44FR62260 (10/29/79) NPRM: 45FR3063 (1/16/80) FR: 6/80
Biological Toxicity Testing Requirements in the NPDES Permits Program (SAN No. 1628)	A. **Description**: EPA is planning to require biological toxicity testing of primary industrial dischargers in the NPDES permits program after these industries have installed Best Available Technology (BAT) control equipment. The purpose of this requirement is to analyze the actual reduction of toxicity by BAT treatment systems and identify point sources where toxicity is still a concern. In cases where levels of toxicity are found after compliance with BAT limitiations, toxicity reduction of those effluents will be pursued. B. **Classification**: Routine C. **Statutory Authority**: CWA 308, 402 (a)(1); 33 USC 1318,1342(a)(1). D. **CFR Change**: 40 CFR 125	William Brandes EPA (EN-336) Washington, D. C. 20460 FTS: 8-426-7035 Comm: 202-426-7035	ANPRM: 7/80
CWA 311 requires that EPA address the problem of spills of oil and hazardous substances by (1) identifying substances which are hazardous and establishing reporting requirements for spills of these substances, (2) setting liability limits for storage facilities, and (3) setting requirements for spill prevention plans.			
Reportable Quantities of Oil Discharge (SAN No. 1579)	A. **Description**: This revision will extend reporting requirements for oil discharges from 12 miles to 200 miles offshore and will provide for statutory exemptions. B. **Classification**: Routine. C. **Statutory Authority**: CWA 311(b); 33 USC 1321(b). D. **CFR Change**: Revision to 40 CFR 110.	Hans Crump-Wiesner EPA (WH-548) Washington, DC 20460 FTS: 8-245-3045 Comm: 202-245-3045	ANPRM: 12/80
Designation of Carcinogens as Hazardous Substances (SAN No. 1580)	A. **Description**: This regulation identifies substances which pose a threat of cancer to people who drink from water sources which contain discharges of hazardous substances. In conjunction with CFR Part 117, it makes possible prompt discovery and clean-up of discharges. This regulation is required by section 311. B. **Classification**: Routine. C. **Statutory Authority**: CWA 311(b)(2)(A); 33 USC 1321 (b)(2)(A) D. **CFR Change**: Addition to 40 CFR 116.	Joseph Lewis EPA (WH-585) Washington, DC 20460 FTS: 8-245-0581 Comm: 202-245-0581	ANPRM: 44FR10270 (2/16/79) NPRM: 6/80 FR: 12/80
Designation of Human Acute Toxicants as Hazardous Substances (SAN No. 1581)	A. **Description**: Section 311 requires the Agency to develop and if necessary amend regulations that identify hazardous substances which present imminent danger to human health when discharged into U.S. waters. Accordingly, this regulation amends CFR Part 116 by identifying additional toxic substances which pose a threat to people when discharged into drinking water sources. B. **Classification**: Routine. C. **Statutory Authority**: CWA 311(b)(2)(A); 33 USC 1321 (b)(2)(A). D. **CFR Change**: Additon to 40 CFR 116.	Joseph Lewis EPA (WH-585) Washington, DC 20460 FTS: 8-245-0581 Comm: 202-245-0581	FR: 43FR10474 (3/13/78) NPRM: 10/80 FR: 6/81

SIGNIFICANT EPA REGULATIONS UNDER CONSIDERATION—Continued

Title	Summary	Contact	Timetable
	WATER QUALITY—Continued		
Determination of Reportable Quantities for Carcinogenic Hazardous Substances (SAN No. 1582)	A. **Description**: This regulation provides the reporting requirements necessary under section 311 for substances designated in CFR Part 116 as hazardous. B. **Classification**: Routine C. **Statutory Authority**: CWA 311(b)(4); 33 USC 1321 (b)(4). D. **CFR Change**: Addition to 40 CFR 117.	Joseph Lewis EPA (WH-585) Washington, DC FTS: 8-245-0581 Comm: 202-245-0581	ANPRM: 44FR10271 (2/16/79) NPRM: 6/80 FR: 12/80
Determination of Reportable Quantities for Human Acute Toxicants (SAN No. 1583)	A. **Description**: This regulation provides the reporting requirements necessary under section 311 for substances identified as hazardous in CFR Part 116. B. **Classification**: Routine. C. **Statutory Authority**: CWA 311(b)(4); 33 USC 1321(b)(4). D. **CFR Change**: Addition to 40 CFR 117	Joseph Lewis EPA (WH-585) Washington, DC 20460 FTS: 8-245-0581 Comm: 202-245-0581	FR: 44FR50766 (8/29/79) NPRM: 10/80 FR: 6/81
Liability Limits for Small Onshore Hazardous Substances Storage Facilities.	A. **Description**: This action amends CFR Part 113 which sets liability limits for small onshore oil storage facilities by providing a similar limit for small hazardous substances storage facilities. It will set forth eligibility criteria for limitations of liability to less than $50 million. It should help small facilities to obtain liability insurance. B. **Classification**: Routine. C. **Statutory Authority**: CWA 311(f)(2); 33 USC 1321(f)(2) D. **CFR Change**: Addition to 40 CFR 113.	James Kohler EPA (WH-585) Washington, DC 20460 FTS: 8-245-3036 Comm: 202-245-3036	NPRM: 8/80 FR: 3/81
Hazardous Substances Pollution Prevention for Facilities Subject to Permitting Requirements of Section 402 (SAN No. 1451)	A. **Description**: This regulation's purpose is to prevent spills of hazardous substances. It sets forth requirements for the Spill Prevention Control and Countermeasure Plans for facilities which (a) are not related to transportation, and (b) which handle hazardous substances, and (c) are subject to NPDES permits. The Agency will set the date for the final rule when the Cost Impact Analysis is completed. B. **Classification**: Routine. C. **Statutory Authority**: CWA 311(j)(1)(C); 33 USC 1321 (j)(1)(C). D. **CFR Change**: 40 CFR 151.	Thomas Charlton EPA (WH-548) Washington, DC FTS: 8-245-3045 Comm: 202-245-3045	NPRM: 43FR39276 (9/1/78)
Oil Pollution Prevention Regulation (SAN No. 1584)	A. **Description**: This revision to 40 CFR 112 will extend EPA's oil pollution authority from three miles to two hundred miles offshore. B. **Classification**: Routine. C. **Statutory Authority**: CWA 311(j)(1)(C); 33 USC 1321(j)(1)(C) D. **CFR Change**: Revision to 40 CFR 112.	Thomas Charlton EPA (WH-548) Washington, DC 20460 FTS: 8-245-3045 Comm: 202-245-3045	NPRM: 45FR33814 (5/20/80) FR: 11/80
Maximum Clean-up Liabilities for Discharges of Oil and Hazardous Substances from Land-Based Facilities (SAN No. 1447)	A. **Description**: This regulation will establish maximum limits of liability that range from $8 million to $50 million for certain classes of facilities that measurably reduce the risk that their discharge might damage the environment. The facilities covered by this regulation are those that have begun beneficial engineering practices or discharge treatment or control. B. **Classification**: Routine. C. **Statutory Authority**: CWA 311(q); 33 USC 1321(9). D. **CFR Change**: 40 CFR 113	James Kohler EPA (WH-585) Washington, DC 20460 FTS: 8-245-3036 Comm: 202-245-3036	NPRM: 10/80 FR: 6/81

SIGNIFICANT EPA REGULATIONS UNDER CONSIDERATION—Continued

Title	Summary	Contact	Timetable
	WATER QUALITY—Continued		
Gray Water Discharges from Commercial Vessels on the Great Lakes (SAN No. 1448)	A. **Description**: These rules establish secondary treatment or equivalent requirements for commercial vessels navigating the Great Lakes. B. **Classification**: Routine C. **Statutory Authority**: CWA 312(c)(2)(B); 33 USC 1322(c)(2)(B) D. **CFR Change**: 40 CFR 140.	Jonathan Amson EPA (WH-585) Washington, DC 20460 FTS: 8-245-3036 Comm: 202-245-3036	NPRM: 1/81 FR: 12/81
Ocean Discharge Criteria (SAN No. 1454)	A. **Description**: These regulations are guidelines designed to protect marine resources and their life from the harmful effects of pollution. They look to workable land based alternatives and to recycle/reuse technologies to limit marine pollution. The Agency will use these guidelines to evaluate all NPDES permit applications that involve discharges from point sources into the territorial seas, contiguous zone, and ocean. B. **Classification**: Routine. C. **Statutory Authority**: CWA 403(c); 33 USC 1343(c). D. **CFR Change**: Revisions to 40 CFR 220-27	Kenneth Farber EPA (WH-586) Washington, DC 20460 FTS: 8-472-5746 Comm: 202-472-5746	IFR: 44FR65751 (11/15/79) NPRM: 45FR9548 (2/12/80) FR: 8/80
Section 404 of the CWA requires that EPA write guidelines to be used by the Corps of Engineers and the States in granting or denying permits for the discharge of dredged or fill material into navigable waters at specified disposal sites. The purpose of these guidelines is to prevent discharges from having an unacceptable adverse effect on municipal water supplies, shellfish beds and fishery areas, wetlands, wildlife, or recreational areas.			
Guidelines for Specification of Disposal Sites for Dredged or Fill Material (SAN No. 1455)	A. **Description**: These guidelines provide the substantive criteria and the evaluative tools for selecting a disposal site for dredged or fill material having an acceptable (or negligible) environmental impact. Interim Final Guidelines were published in 1975. These revised guidelines are necessary to bring in new scientific information, experience from program operation, and statutory changes to the program (1977 amendments to the Act). B. **Classification**: Routine. C. **Statutory Authority**: CWA 404(b)(1); 33 USC 1344 (b)(1) D. **CFR Change**: Revision to 40 CFR 230.	Joseph Krivak EPA (WH-585) Washington, DC 20460 FTS: 8-472-3400 Comm: 202-472-3400	IFR: 40FR41292 (9/5/75) NPRM: 44FR54222 (9/18/79) FR: 9/80
Guidelines for Specification of Disposal Sites for Dredged or Fill Material (Revision of Chemical and Biological Testing and Mixing Zone Determinations) (SAN No. 1585)	A. **Description**: This rulemaking will revise part of the section 404(b)(1) guidelines: (1) To bring the 1975 Interim Final Guidelines up to date—in the light of new research and management information on testing procedures, and (2) To provide a format for the testing procedures; which will be clearer for both applicants and permitting officials. B. **Classification**: Routine C. **Statutory Authority**: CWA 404(b)(1); 33 USC 1344 (b)(1) D. **CFR Change**: Revision to 40 CFR 230.	Joseph Krivak EPA (WH-585) Washington, DC 20460 FTS: 8-472-3400 Comm: 202-472-3400	IFR: 40FR41292 (9/5/75) NPRM: 44FR54222 (9/18/79) NPRM: 9/80 Final: 2/81
Sludge Management Guidelines (SAN No. 1459, Docket No. 405)	A. **Description**: The regulations will provide guidelines for the disposal and use of wastewater treatment plant sludge, including the distribution and marketing of fertilizers and soil conditioners derived from sewage sludge. The fall 1980 proposal will apply to the distribution and marketing of sewage products. Additional proposals on other sludge management will come later. B. **Classification**: Major. C. **Statutory Authority**: CWA 405; 33 USC 1345. D. **CFR Change**: 40 CFR 258. E. **Analysis**: UCIA.	Emery C. Lazar EPA (WH-564) Washington, DC 20460 FTS: 8-755-9120 Comm: 202-755-9120	NPRM: 12/80 FR: Fall 1981

SIGNIFICANT EPA REGULATIONS UNDER CONSIDERATION—Continued

Title	Summary	Contact	Timetable
	WATER QUALITY—Continued		
Revision of Ocean Dumping Criteria (SAN No. 1604)	A. **Description**: This action opens ocean dumping criteria for possible revision based on public comment, new research information, and operating experience. B. **Classification**: Major C. **Statutory Authority**: MPRSA, 33 USC 1401 et seq. D. **CFR Change**: Revision to 40 CFR 225,227,228	T. A. Wastler EPA (WH 548) Washington, D.C. 20460 FTS: 8-472-2836 Comm: 202-472-2836	ANPRM: 6/80
	GENERAL		
Assessing the Environmental Effects of EPA Actions Abroad (SAN No. 1565)	A. **Description**: Presidential Executive Order 12114 requires each Federal agency to publish procedures for assessing the effects of its activities outside the United States. EPA has complied by integrating these procedures with the existing NEPA/EIS regulations, which already provide for assessing the effects of EPA activities. B. **Classification**: Routine. C. **Statutory Authority**: Presidential Executive Order 12114. D. **CFR Change**: Revision to 40 CFR 6 (Subpart J)	Judith Troast EPA (A-104) Washington, DC 20460 FTS: 8-755-9408 Comm: 202-755-9408	NPRM: 44FR68776 (11/29/79) FR: 8/80
Historic Preservation Regulations (SAN No. 1566)	A. **Description**: On January 30, 1979, the Advisory Council on Historic Preservation promulgated regulations that direct Federal agencies to establish procedures for implementing historic preservation requirements. EPA will comply by adding a new subpart to the NEPA regulations. B. **Classification**: Routine. C. **Statutory Authority**: National Historic Preservation Act. D. **CFR Change**: Revision to 40 CFR 6 (subpart K)	Judith Troast EPA (A-104) Washington, DC 20460 FTS: 8-755-9408 Comm: 202-755-9408	NPRM: 9/80 FR: 2/81
Policy on Public Participation (SAN No. 1626)	A. **Description**: In order to enhance the ability of EPA to manage programs and make decisions in the public interest, the agency is preparing a formal policy for public participation. A degree of standardization in procedures will make it easier for citizens to know what they can expect when they deal with the agency. B. **Classification**: Policy Statement C. **Statutory Authority**: E.O. 12044, CAA, CWA, FIFRA, TSCA, RCRA D. **CFR Change**: This action will not be codified in CFR.	Sharon Francis EPA (A-100) Washington, D.C. 20460 FTS: 8-245-3066 Comm: 202-245-3066	NPRM: 45FR28911 (4/30/80) FR: 9/80

REGULATIONS DELETED FROM THE PREVIOUS AGENDA

Title and SAN(#)	Statutory Authority/CFR	Reason Deleted	Date & Cite of Last Action
NSPS-Petroleum Liquid Storage Vessels (SAN No. 1006)	CAA 111/40 CFR 60	Completed	FR: 45FR23374 (4/4/80)
Primary Aluminum Plant Fluoride Control-Existing Sources (SAN No. 1121)	CAA 111(d)/40 CFR 60	Completed	FR: 45FR26294 (4/17/80)
NESHAPS. Listing of Arsenic as a Hazardous Pollutant (SAN No 1300)	CAA 112/40 CFR 61	Completed	Listing: 45FR37886 (6/5/80)
Regulations Providing for State/Local Consultation (SAN No. 1304)	CAA 121/40 CFR 51	Completed	FR: 44FR35176 (6/18/79)
Short Test for Emission Warranties (SAN No 1326)	CAA 207(b)/40 CFR 86	Completed	FR: 45FR34802 (5/22/80)
Emission Control (Performance) Warranty (SAN No. 1327)	CAA 207(b)/40 CFR 85	Completed	FR: 45FR34829 (5/22/80)
Reporting Identities of Trade Name Chemical Products (SAN No. 1518)	TSCA 8/40 CFR 719	Specialized regulation	
Drinking Water Intake Zone Exemptions (SAN No 1449)	CWA 312/No CFR Cite	Postponed indefinitely	ANPRM: 44FR54111(9/18/79)
Consolidated Rules of Practice Governing the Assessment of Civil Penalties (SAN No. 1140)	TSCA 16, FIFRA 14, RCRA 3008/40 CFR 22, 80, 168, 226	Completed	FR: 45FR24360 (4/19/80)
Consolidated Permit Regulations (SAN No 1460)	CWA 402, 404, RCRA 3005, SDWA 1421, CAA 165/40 CFR 122-124	Completed	FR: 45FR33290 (5/19/80)

BILLING CODE 6560-01-C

Appendix I—Calendar of Federal Regulations

Detailed descriptions of selected major EPA regulations appear in the Regulatory Council's *Calendar of Federal Regulations.* In order to make these descriptions more accessible to users of EPA's *Agenda of Regulations,* we are reprinting them here as an appendix. In addition to a general description of the regulations, these entries:

(1) Describe the options under consideration;

(2) Discuss the sectors of society which will be affected by the regulation;

(3) Identify related regulations; and

(4) Identify support documents available from the Agency contact.

The major criterion for including a regulation in the *Calendar of Federal Regulations* is the Agency's judgment that it will impose cost of one-hundred million dollars or more on the economy in any one year following promulgation. Some regulations which do not meet this criterion are included because the Administrator considers them to raise especially important policy issues.

The *Calendar of Federal Regulations* from which these descriptions are taken appeared in the **Federal Register** on May 30, 1980 at 45 FR 36844.

The regulations appear in the following order:

Review of NAAQS for Carbon Monoxide (SAN No. 1001)
Review of NAAQS for Sulfur Dioxide (SAN No. 1002)
Review of NAAQS for Particulate Matter (SAN No. 1003)
Review of NAAQS for Nitrogen Dioxide (SAN No. 1004)
NSPS for Industrial Boilers (SAN No. 1586)
Policy and Procedures for Airborne Carcinogens (SAN No. 1596)
Prevention of Significant Deterioration from Set II Pollutants (SAN No. 1306)
Visibility Protection Requirements (SAN No. 1307)
Heavy-Duty Diesel Particulate Regulations (SAN No. 1310)
Emission Regulations for 1983 and Later Model Year Light-Duty Trucks (SAN No. 1313)
Emission Regulations for 1985 and Later Model Year Light-Duty Trucks and Heavy Duty Engines (SAN No. 1315)
Fuels and Fuel Additives (SAN No. 1328)
Control of Organic Chemicals in Drinking Water (SAN No. 1201)
Pesticide Registration Guidelines (SAN No's. 1141–1148, 1619–1623)
Environmental Radiation Protection Standards for Management and Disposal of Radioactive Wastes (SAN No. 1163)
Remedial Action Standards for Inactive Uranium Processing Sites (SAN No. 1166)
Hazardous Waste Regulations: Core Regulations to Control Hazardous Solid Waste from Generation to Final Disposal (SAN No's. 1191, 1194)
Test Rules for Chemical Substances and Mixtures—Chloromethane and Chlorinated Benzenes (SAN No. 1131)
Premanufacture Notification Requirements and Review Procedures (SAN No. 1134)
Rules Restricting the Commercial and Industrial Use of Asbestos Fibers (SAN No. 1627)
Chemical Hazard Warning Labels (SAN No. 1530)
Effluent Limitations for Iron and Steel Plants (SAN No. 1405)
Effluent Limitations for Steam Electric Power Plants (SAN No. 1408)
Effluent Limitations for Pulp, Paper and Paperboard Mills (SAN No. 1419)

Review, and Possible Revision, of the National Ambient Air Quality Standard for Carbon Monoxide (40 CFR Part 50*)

Legal Authority

Clean Air Act, as amended, § 109(d)(1), 42 U.S.C. 7409 *et seq.*

Reasons for Including This Entry

The Environmental Protection Agency (EPA) believes that this review is important in order to ensure the protection of public health and welfare and because any changes to the existing standards may result in an annual effect of $100 million or more on the economy. Ambient air quality standards define allowable pollutant concentrations in the ambient air that are requisite to protect public health and welfare.

Statement of Problem

Section 109(d)(1) of the Clean Air Act as amended directs EPA to review existing national ambient air quality standards (NAAQS) every five years. EPA set the original standards (April 30, 1971, 36 FR 8186) at 9 parts per million (ppm) averaged over an 8-hour period and 35 ppm for a 1-hour period. After review of scientific bases for the standards (the air quality criteria), EPA will decide whether to propose new standards or reaffirm the original standards.

The magnitude of the problem resulting from human exposure to carbon monoxide has not been completely quantified. However, there are several population groups that are particularly sensitive to carbon monoxide exposure, such as patients with coronary heart disease (e.g., angina pectoris), peripheral vascular disease, cerebrovascular disease, or chronic obstructive pulmonary disease; pregnant mothers and their fetuses; and patients with anemia. These sensitive population segments range from 5 to 12 percent of the U.S. population. In other words, several million persons in the United States with cardiovascular, pulmonary, and central nervous system disease can have these conditions aggravated by exposure to carbon monoxide.

Alternatives Under Consideration

Major alternatives to maintaining existing standards are:

(1) to change the concentration levels of the standards, and

(2) to change the time periods over which concentrations are measured. EPA may make the health-based (primary) standards more stringent, less stringent, or keep them at current levels. The Agency is looking at alternative primary standard levels, and at the need for the existing secondary standard to protect against environmental and other non health damages.

We are investigating no new Federal regulatory techniques in the CO NAAQS review process. All governmental regulatory actions taken as a result of EPA's seting a NAAQS are at the discretion of State governments. The states are free to use performance standards, economic incentives, or any other means to attain ambient air quality standards within their jurisdiction. The only EPA requirement for State governments is that they demonstrate attainment and maintenance of the NAAQS by statutory compliance dates.

Summary of Benefits

Sectors Affected: Revision of air quality criteria and review of the existing ambient standard will result in greater assurance that the standard which EPA reaffirms or new promulgates will protect public health and welfare, specifically, those individuals with cardiovascular heart disease.

Summary of Costs

Sectors Affected: State air pollution control strategies for attaining CO ambient air quality standards probably will focus on reducing emissions from motor vehicles. These strategies may affect the automotive industry, the driving public, transportation planning, and highway street operations. Motor vehicles account for nearly 75 percent of the nationwwide CO emissions; most high CO monitor readings occur in urban areas with heavy traffic. EPA will complete a study of the costs and economic effects of controlling CO emissions to meet alternative air standards at the time we propose any changes to the CO standard.

Related Regulations or Actions

Internal: Based on the alternative air quality standards under consideration and our current understanding of control requirements, it is unlikely that revised

EPA emissions standards for motor vehicles will result from this review.

External: Modifications in existing standards could require states to reassess their current implementation control programs, and make revisions in control measures and strategies if necessary.

Active Government Collaboration

Other Federal agencies that are involved in reviewing the standard include the Departments of Transportation; Energy; and Health, Education, and Welfare. In addition, EPA has contracted the Interagency Regulatory Liaison Group (IRLG) and will involve them in the standard review. The IRLG functions to coordinate the regulatory authorities of the Environmental Protection Agency, Food and Drug Administration, Consumer Product Commission, Occupational Safety and Health Administration, and the Food Safety and Quality Service, Department of Agriculture.

Available Documents

ANPRM—"Review of the Carbon Monoxide Air Quality Standard," 43 FR 56250, December 1, 1978.

Air Quality Criteria for Carbon Monoxide (External Review Draft, April 1979); it is available from the Environmental Criteria and Assessment Office, MD–52, U.S. Environmental Protection Agency, Research, Triangle Park, N.C. 27711.

U.S. Environmental Protection Agency Science Advisory Board Clean Air Scientific Advisory Committee, Subcommittee on Carbon Monoxide, "Transcript of Proceedings" for January 30 and 31, 1979 and June 14–16, 1979; these are available for review in the Central Docket Section, U.S. EPA, Room 29038, 401 M Street, S.W., Washington, D.C. between 9:00 a.m. and 4:00 p.m. on weekdays.

Control Techniques for Carbon Monoxide Emissions, EPA–450/3–79–006, June 1979; the report is available from U.S. EPA Library (MD–35), Research Triangle Park, N.C. 27711. Telephone: (919) 541–2777.

EPA has established a docket (EPA, Central Docket Section OAQPS–79–7) for review of this standard.

Review, and Possible Revision, of the National Ambient Air Quality Standards for Sulfur Dioxide (40 CFR Part 50*)

Legal Authority

The Clean Air Act, as amended, § 109(d)(1), 42 U.S.C. § 7409 *et seq.*

Reasons for Including this Entry

The Environmental Protection Agency (EPA) believes that this review is important in order to ensure the protection of public health and welfare, and because any changes to the existing standards may result in an annual effect of $100 million or more on the economy.

Statement of Problem

Section 109(d) of the Clean Air Act Amendments of 1977 directs the EPA to review the existing National Ambient Air Quality Standards (NAAQS) every 5 years. The present primary standard for sulfur dioxide (set to protect public health) is 80 micrograms per cubic meter ($\mu g/m^3$) annual arithmetic mean, and a maximum 24 hour concentration of 365 $\mu g/m^3$, not to be exceeded more than once per year. The current secondary standard for sulfur dioxide (to protect public welfare) is 1300 $\mu g/m^3$, maximum 3 hour concentration not to be exceeded more than once per year. The states are responsible for developing and implementing the necessary regulatory programs to ensure the attainment and maintenance of the NAAQS.

EPA will review the scientific basis of the standards (the air quality criteria) as well as the standards themselves. Where appropriate, EPA will revise the air quality criteria and promulgate new standards.

Sulfur oxides in the air, working alone on in combination with other pollutants, aggravate respiratory diseases such as asthma, chronic bronchitis and emphysema, and also irritate the eyes and respiratory tract. Sulfur oxides also cause impaired visibility and help form acid rain which adversely effects crops, materials, and aquatic ecosystems.

Alternatives Under Consideration

Based on the revised air quality criteria, EPA may decide to keep the existing standards without change, or may alter the air concentration of sulfur dioxide or the period over which the concentration is measured.

There are no new Federal regulatory techniques being investigated in the NAAQS review and revision process. All governmental regulatory actions taken as a result of setting a NAAQS are at the discretion of State governments. They are free to use performance standards, economic incentives, or any other means to attain ambient air quality standards within their jurisdiction. The only EPA requirement for State governments is that they attain and maintain the NAAQS by statutory compliance dates.

Summary of Benefits

Sectors Affected: The general public including children and those persons suffering from respiratory diseases as well as agricultural interests will benefit from this review of the NAAQS. The revision of the air quality criteria and the review of the existing ambient standards will result in greater assurance that the standards whether reaffirmed or newly promulgated, will adequately protect health and welfare of the general public including those most sensitive to adverse health affects of sulfur oxides.

Summary of Costs

Sectors Affected: This revision of the air quality criteria and review of the existing ambient standards may affect utilities, the non-ferrous metal industry, the petroleum industry, and those industries that supply or use large quantities of fossil fuel and State air pollution control agencies.

A study of costs and economic impacts of controlling sulfur oxides under alternative standards will be completed by EPA when the NPRM is issued. In addition, EPA will also assess the impact on State air pollution control agencies of modifying their control programs in order to accommodate any revisions to existing standards.

Related Regulations and Actions

Internal: Changes to the current ambient standards may affect EPA's regulations for new source review.

External: Modifications in the existing standards would require States to reassess their current implementation control programs, and make revisions in control measures and strategies if necessary.

Active Governmental Collaboration

Other Federal agencies which are actively involved in reviewing the sulfur oxide standards are the Departments of Energy; Transportation; Interior; Commerce; Health, Education, and Welfare; and the Tennessee Valley Authority. In addition, EPA has informed the Interagency Regulatory Liaison Group (IRLG) of this review. The IRLG functions to coordinate certain regulatory activities of the Environmental Protection Agency, Food and Drug Administration, Consumer Product Safety Commission, Occupational Safety and Health Administration, and the Food Safety and Quality Service, Department of Agriculture.

Available Documents

ANPRM—"National Ambient Air Quality Standards; Review of Criteria

and Standards for Particulate Matter and Sulfur Oxides," 44 FR 192, October 2, 1979.

"Air Quality Criteria for Sulfur Oxides," AP–50, January 1969—available from the National Technical Information Service, 5285 Port Royal Road, Springfield, VA 22161.

"Sulfur Oxides," National Academy of Sciences, 1978—available from the National Academy of Sciences, Printing and Publication Office, 2101 Constitution Avenue, Washington, D.C. 20418

Review, and Possible Revision, of the National Ambient Air Quality Standards for Particulate Matter (40 CFR Part 50*)

Legal Authority

The Clean Air Act, as amended, § 109(d)(1), 42 U.S.C. § 7409 *et seq.*

Reasons for Including This Entry

The Environmental Protection Agency (EPA) believes that this review is important to ensure the protection of public health and welfare, and because any changes to the existing standards may result in an annual effect of $100 million or more on the economy.

Statement of Problem

Section 109(d) of the Clean Air Act Amendments of 1977 directs EPA to review the existing National Ambient Air Quality Standards (NAAQS) every 5 years. The current Primary Standard for particulate matter (to protect public health) is 75 micrograms per cubic meter ($\mu g/m^3$) annual geometric mean and 260 $\mu g/m^3$, maximum 24 hour concentrations, not to be exceeded more than once per year. The current Secondary Standard for particulate matter (to protect public welfare) is 150 $\mu g/m^3$, maximum 24 hour concentration, not to be exceeded more than once per year. The states are responsible for developing and implementing the necessary regulatory programs to ensure the attainment and maintenance of the NAAQS.

EPA will review the scientific basis of the standard (the air quality criteria) as well as the standards themselves. Where appropriate, EPA will revise the air quality criteria and promulgate new standards.

Exposure to airborne particulate matter (PM) aggravates asthma and other respiratory disorders, and cardiovascular diseases, and can impair pulmonary function, and increase coughing, and chest discomfort. PM may also increase the adverse health effects of gasious air pollutants, such as SO_2. Depending on their chemical composition, specific types of PM may have more serious toxic or carcinogenic effects than others. Elevated PM levels result in increased soiling of exposed materials and impair visibility.

Alternatives Under Consideration

Based on the revised air quality criteria, EPA may decide to keep the existing standards without change, or may decide to change the allowable air concentration of particulate matter, the period over which the concentration is measured, or the number of allowable exceedances. EPA is also considering standards based on the size of the particulate as well as its concentration. This consideration is based on evidence that smaller particles penetrate deeper into the lung, and evidence that when elevated concentrations of particulate matter occur in combination with elevated levels of sulfur oxides adverse health effects may be more pronounced.

EPA is not investigating new federal regulatory techniques in the NAAQS review and revision process. All governmental regulatory actions taken as a result of setting a NAAQS are at the discretion of State governments which are free to use performance standards, economic incentives, or any other means to attain ambient air quality standards within their jurisdiction. The only EPA requirement for State governments is that they attain and maintain the NAAQS by statutory compliance dates.

Summary of Benefits

Sectors Affected: The general public, including children and those persons suffering from respiratory diseases and cardiovascular diseases, will benefit from this review of the NAAQS. The revision of the air quality criteria and the review of the existing ambient standards will result in greater assurance that the standards, whether reaffirmed or newly promulgated, will adequately protect health and welfare of the general public including those groups within the general public most sensitive to adverse health affects of PM.

Summary of Costs

Sectors Affected: This review and possible revision of the ambient standards may affect utilities, the non-ferrous metal industry, those industries that use large quantities of fossil fuel and state air pollution control agencies.

EPA will complete a study of costs and economic impacts of controlling particulate matter under alternative standards when it issues the NPRM. In addition, EPA will also assess the impact on State air pollution control agencies of modifying their control programs to accommodate revisions to the existing standards.

Related Regulations and Actions

Internal: Changes to the current ambient standards for particulate matter may affect EPA's regulations for new source review.

External: Modifications in the existing standards would require States to reassess their current implementation control programs and make revisions in control measures and strategies if necessary.

Active Government Collaboration

Other Federal agencies which are actively involved in reviewing the standards for particulate matter are the Departments of Energy; Transportation; Interior; Commerce; Health, Education and Welfare; and the Tennessee Valley Authority. In addition EPA has informed the Interagency Regulatory Liaison Group (IRLG) of this review. The IRLG functions to coordinate the regulatory authorities of the Environmental Protection Agency, Food and Drug Administration, Consumer Product Safety Commission, Occupational Safety and Health Administration, and the Food Safety and Quality Service, Department of Agriculture.

Available Documents

ANPRM—"National Ambient Air Quality Standards; Review of Criteria and Standards for Particulate Matter and Sulfur Oxides," 44 FR 192, October 2, 1979.

"Air Quality Criteria for Particulate Matter," AP–49, January 1969 available from the National Technical Information Service, 5285 Port Royal Road, Springfield, VA 22161. "Health Effects Considerations for Establishing a Standard for Inhalable Particles," July 1978, available from the Health Effects Research Laboratory, Environmental Protection Agency, Research Triangle Park, N.C. 27701.

Airborne Particulate, National Academy of Sciences, 1977 available from the National Technical Information Service, 5285 Port Royal Road, Springfield, VA 22161.

Review, and Possible Revision, of the National Ambient Air Quality Standard for Nitrogen Dioxide (40 CFR Part 50*)

Legal Authority

Clean Air Act, as amended, §§ 109(c) and 109(d), 42 U.S.C. § 7409 *et seq.*

Reasons for Including This Entry

The Environmental Protection Agency (EPA) believes that this review is important to ensure the protection of public health and welfare and because

any changes to the existing standards may result in an annual effect of $100 million or more on the economy.

Statement of Problem

Section 109(c) of the Clean Air Act as amended directs EPA to promulgate a short-term nitrogen dioxide (NO_2) standard, unless there is no significant scientific evidence that such a standard is needed to protect public health. Section 109(d)(1) of the Act requires EPA to review existing National Ambient Air Quality Standards (NAAQS) every five years; this review includes the existing NO_2 annual average standard promulgated by EPA on April 30, 1971 (36 FR 8186). This standard is 100 micrograms per cubic meter ($\mu g/m^3$), annual arithmetic mean (40 CFR 50.11). The Agency has combined possible proposal of a short-term NO_2 standard with review of the annual average NAAQS into one rulemaking process (see 45 FR 6959, January 31, 1980). After review of scientific bases of the standards (the air quality criteria), EPA will decide whether to propose a short-term NO_2 standard and change or reaffirm the existing annual, NO_2 NAAQS.

Public exposure to NO_2 can result in impairment of pulmonary (lung) function and can increase susceptibility to respiratory infection. NO_2 or other nitrogen oxide compounds in the ambient air can adversely affect crops, visibility, and materials, and can cause acid rainfall. Acid rain adversely affects crops, materials, and aquatic ecosystems.

Alternatives Under Consideration

Based on revised air quality criteria, EPA may decide to keep the existing annual standard without change, or make some modification to the allowable air concentration of nitrogen dioxide. The agency may also decide to propose a short-term NO_2 standard.

We are investigating to new regulatory techniques in the NO_2 NAAQS review/standard-setting process. All governmental regulatory actions taken as a result of setting a NAAQS are at the discretion of State governments. They are free to use performance standards, economic incentives, or any other means to attain ambient air quality standards within their jurisdiction. The only EPA requirement for State governments is that they demonstrate attainment and maintenance of the NAAQS by statutory attainment dates.

Summary of Benefits

Sectors Affected: The general public, particuarly those persons suffering from respiratory diseases, will benefit from this review of the NAAQS.

Revision of air quality criteria and review of the existing ambient standard will result in greater assurance that the standard which EPA reaffirms or newly promulgates will protect public health and welfare.

Summary of Costs

Sectors Affected: We will complete a study of the costs and economic effects of controlling oxides of nitrogen for alternative short-term and annual standards at the time we propose a revised standard. If the Agency's NO_2 activities result in a new regulatory action, the regulation could affect the level of control for point sources of nitrogen oxides emissions, such as power plants, industrial boilers, and natural gas pipeline stations. We currently are controlling mobile source emissions under existing emissions limits for motor vehicles; however, a stringent short-term NO_2 standard could result in the need for community wide inspection and maintenance programs for automobile and truck emissions.

Related Regulations and Actions

Internal: Changes to the current ambient standard may affect EPA's regulations for nitrogen oxides emissions from motor vehicles and EPA regulations for new source review.

External: Modifications in the existing standard may require States to reassess their current implementation control programs and make revisions in control measures and strategies if necessary. A new short-term standard would require States to assess ambient air quality data, and if concentrations exceed the standard, develop a State implementation plan to control NO_2 emissions.

Active Government Collaboration

Other Federal agencies that are involved in reviewing the nitrogen dioxide standards are the Department of Energy; Transportation; Interior; Commerce; and Health, Education and Welfare; and the Tennessee Valley Authority. In addition, we have informed the Interagency Regulatory Liaison Group (IRLG) of this review. The IRLG functions to coordinate the regulatory authorities of the Environmental Protection Agency, Food and Drug Administration, Consumer Product Safety Commission, Occupational Safety and Health Administration, and the Food Safety and Quality Service, Department of Agriculture.

Available Documents

Air Quality Criteria for Nitrogen Dioxide (external review draft, June 1979), available from the Environmental Criteria and Assessment Office (ECAO), U.S. Environmental Protection Agency, MD–52, Research Triangle Park, North Carolina 27711.

U.S. Environmental Protection Agency, Science Advisory Board, Clean Air Scientific Advisory Committee, Committee meeting on Air Quality Criteria for Oxides of Nitrogen, "Transcript of Proceedings" conducted in Washington, D.C. on January 29 and 30, 1979; available from ECAO.

EPA will complete a study of costs and economic impacts of controlling nitrogen oxides when it issues the NPRM.

Control Techniques for Nitrogen Dioxide Emissions (draft, January 1978), available from Emission Standards and Engineering Division, U.S. Environmental Protection Agency, MD–13, Research Triangle Park, North Carolina 27711.

"National Ambient Air Quality Standards: Establishment of Standard Review Docket for Nitrogen Dioxide," 45 **Federal Register** 6958 (January 31, 1980).

EPA has established a docket (EPA, Central Docket Section OAQPS–78–9) for review of the NO_2 standard.

Standards of Performance To Control Atmospheric Emissions From Industrial Boilers (40 CFR Part 60)

Legal Authority

The Clean Air Act, as amended, § 111, 42 U.S.C. § 7411.

Reasons for Including This Entry

The Environmental Protection Agency (EPA) believes this rule would be important because it would affect many industries, address a major air polluter in industrial boilers, and minimize emissions in the face of increased industrial use of coal. The impact of this regulation on industry would approach $100 million per year for additional capital and annualized costs by 1990.

Statement of Problem

Combustion of coal, oil, and gas in industrial boilers results in the emission of significant quantities of particulate matter, sulfur dioxide, and nitrogen oxides to the atmosphere. Because of the large number of boilers and the associated emission rates, industrial boilers contribute significantly to air pollution in the United States. In 1975, emissions from industrial boilers were estimated to include 2.77 million tons of particulate matter, 3.25 million tons of sulfur dioxide, and 2.01 million tons of

nitrogen oxides or approximately 17, 11, and 8 percent of total national emissions of these pollutants. The projected growth rate of the use of industrial boilers, coupled with the emphasis on shifting fuel from gas and oil to coal, will increase the potential for emissions. These air pollutants affect the health and welfare of most of our urban-dwelling citizens by contributing to disease in people and animals, reducing visibility in the atmosphere, damaging vegetation, and soiling and deteriorating real estate. Failure to provide more effective control of emissions from industrial boilers will increase exposure to the undesirable effects of these pollutants and will expand the portions of the country that exceed EPA's ambient standards for these pollutants.

Alternatives Under Consideration

The 1977 Clean Air Act requires that EPA adopt standards of performance for stationary sources of air pollution that are fired by fossil fuels. EPA is gathering information on eight technologies for reducing boiler emissions: (1) oil cleaning and existing clean oil, (2) coal cleaning and existing clean coal, (3) synthetic fuels, (4) fluidized bed combustion, (5) particulate control, (6) flue gas desulfurization, (7) nitrogen oxides combustion modification, and (8) nitrogen oxides flue gas treatment.

We are using computer modeling to examine alternatives to determine the cost impacts, emission impacts, effects upon fuel consumption, overall energy impacts, and other environmental effects on a regional and national basis. The alternatives include differing levels of emissions for various sizes of boilers and type of fuels.

Summary of Benefits

Sectors Affected: This rule will apply to new and modified industrial boilers used in a large number of manufacturing industries and will affect citizens in urban and rural areas who are subject to pollution emissions from these industries.

Installing equipment that represents the best available control technology at new and modified industrial boiler facilities will help lessen air pollution in already affected areas and preserve clean air in yet unpolluted areas of the country. Such control will reduce the need for using the "cleanest" fuels, which can be diverted to existing plants in which new add-on controls are less cost effective.

A regulation that requires more stringent controls on new and modified industrial boilers will allow industrial expansion and economic growth without an accompanying assaults on ambient air quality.

Summary of Costs

Sectors Affected: This rule will affect new and modified industrial boilers used in a large number of manufacturing industries, and consumers of products produced by these industries. Energy intensive industries such as glass (SIC 321, 322, 323), pulp and paper (SIC 261, 262, 263), and chemical manufacturing (SIC 281) are the specific industries that this rule would affect most.

Cost estimates for applying the control technology required by a regulation governing emissions from industrial boilers would be determined by the number, sizes, and types of sources we regulate and the degree of control we require. EPA estimates that by 1990 annual added capital costs of control will approach $200 million and annualized costs will approach $100 million (1978 dollars). These estimates are necessarily very tentative at this time.

Related Regulations and Actions

Internal: We have issued water pollution regulations in the form of "Best Practical Technology Currently Available" and "Best Available Technology Economically Achievable." Industrial boilers are also subject to requirements of the Resource Conservation and Recovery Act.

External: Industrial boilers are subject to the Fuel Use Act and associated regulations established by the Department of Energy.

Active Government Collaboration

Because emissions from industrial boilers come from the combustion of fossil fuels, EPA is working closely with the Department of Energy to share information and stimulate advances in technology.

Available Documents

ANPRM—40 CFR 60 (44 FR 37632, June 28, 1979)

Policy and Procedures for Identifying, Assessing, and Regulating Airborne Substances Posing a Risk of Cancer (40 CFR Part 61)

Legal Authority

The Clean Air Act, as amended, §§ 111, 112, and 301(a), 42 U.S.C. §§ 7411, 7412, and 7601(a).

Reason for Including This Entry

The Environmental Protection Agency thinks that this policy is important because it will set a precedent in establishing how EPA will regulate airborne carcinogens under the Clean Air Act, and include the role of risk assessment and economics in the regulatory process.

Statement of Problem

Cancer is the second leading cause of death in the United States. One American in four is expected to contract some form of cancer in his or her lifetime, and one in five is expected to die from the disease. The most recent statistics show a continued increase in the total incidence of cancer, resulting principally from increases in lung cancer.

Studies of human cancer rates and their worldwide geographical variations, and observations of incidence rates in migrant populations, have revealed that factors in the human environment are probably responsible for a large proportion of cancers. "Environmental factors" in the broad sense include chemical exposures from smoking, diet, occupation, drinking water, and air pollution; various forms of radiation, including sunlight; and some forms of severe physical irritation. Although the uncertainties are great, estimates by the World Health Organization, other prominent institutions, and individual experts suggest that these factors may cause 60 to 90 percent of all human cancers.

Although airborne carcinogens may induce cancer at a number of areas in the body, lung cancer is thought to be the principal form of cancer related to air pollution. While cigarette smoking is probably the most important cause of lung cancer in the United States, many scientists believe that various air pollutants increase the risk of cancer from smoking and other carcinogenic insults. Available estimates also indicate that occupational exposures to chemicals are responsible for a significant portion of the incidence of lung cancer in the United States.

Through preliminary examination industries producing chemicals and radioactive materials, and of air sampling results, EPA has identified over 50 known or potential chemical carcinogens and numerous radioactive materials which may be emitted into the atmosphere. Many of these substances are synthetic organic chemicals that have been in commercial use only since the 1930s. Because cancer induced by exposures to small amounts of airborne carcinogens may not appear for 15 to 40 years after exposure, it is still too early to detect the full effects of these chemicals on human health. Thus, it is both prudent and, in view of the large number of people potentially affected, important to reduce or contain emissions of known or suspected

atmospheric carcinogens in order to prevent future problems before we actually observe them.

We have, since 1971, listed three airborne carcinogens (asbestos, vinyl chloride, benzene) as hazardous pollutants under § 112, "National Emission Standards for Hazardous Air Pollutants," of the Clean Air Act. As required by § 112, we have developed and are continuing to develop emission standards for significant sources of these pollutants. In addition, we are evaluating a number of other potentially carcinogenic substances to determine whether action under § 112 is appropriate. We have found our actions on airborne carcinogens to be hampered by the lack of a policy, developed with public participation, that would guide our use of § 112 to control airborne carcinogens.

Specifically, we need publicly stated, legally binding policies and regulatory mechanisms are needed to: (1) determine the carcinogenicity and carcinogenic risks of air pollutants for regulatory purposes, (2) establish priorities for evaluating the need for and implementing additional regulatory action, (3) specify the degree of source control required in general under § 112 and how we will determine that level of control in setting individual standards, and (4) provide more extensive public involvement in the Agency's decision-making on the regulation of airborne carcinogens.

Alternatives Under Consideration

We describe a number of alternatives in the proposal document (44 FR 58642, October 10, 1979). Beyond that, the principal alternative is to have no formal policy. Under this alternative, EPA would continue with a case-by-case approach for regulating airborne carcinogens under § 112 of the Clean Air Act. This strategy would allow the Agency maximum regulatory flexibility, but would not give either the general public or the regulated industry sufficient information to enable them to participate fully in the rulemaking process. In addition, the alternative of no policy would not resolve the difficulties which EPA has encountered in the listing of airborne carcinogens and in the subsequent development of emissions regulations. It also does not recognize the need for procedures to ensure that available resources are allocated to the most important or tractable problems on a priority basis.

Under the policy, we will list under § 112 those airborne substances identified as high probability human carcinogens which present a significant carcinogenic risk to public health as a result of air emissions from one or more categories of stationary sources. Where applicable, we will propose generic standards for control of fugitive emissions from industrial sources concurrently with the listing to expedite reductions in emissions which can be achieved through good housekeeping practices in the manufacturing, handling, or use of hazardous materials. We will use risk assessments to determine priorities for further regulation of significant source categories and in the evaluation of residual risk.

At a minimum, the policy requires new and existing sources which present or would present significant cancer risks to apply best available technology (BAT) to control emissions of listed airborne carcinogens. BAT for new sources represents the most advanced level of control adequately demonstrated, considering economic, energy, and environmental effects. For existing sources, the determination of BAT also considers the impacts and technological problems associated with the retrofitting of control equipment. Controls more stringent than BAT may be imposed if the risk remaining after the application of BAT is unreasonable, or, for new sources, if EPA's criteria for risk avoidance associated with plant siting connot be met.

Our proposed policy contains no reporting requirements.

Innovative Regulatory Techniques: In most cases, emission standards we establish pursuant to our proposed policy will be in the form of performance standards, rather than specific design standards. Design, operating, or equipment standards will be used only when performance standards are not practical.

In addition, the new source siting provisions of the policy allow a new source owner to use an emission offset mechanism to locate a new source of airborne carcinogens in an area where other such sources exist or where the owner has difficulty in meeting emission requirements for the new source.

Summary of Benefits

Sectors Affected: Generic and emission standards that we develop for sources of airborne carcinogens under the proposed policy will reduce cancer risks for large segments of the U.S. population exposed to these substances in the ambient air. The greatest benefits will be to individuals who live in the immediate vicinity of characteristic source types.

While low levels of potentially carcinogenic substances have been detected in many parts of the country, the areas of greatest concern are densely populated urban centers and areas with a high concentration of chemical manufacturing industries. In the latter case, the proposal would benefit populations in the Gulf Coast (Louisiana and Texas), the Kanawha Valley (West Virginia), and Northern New Jersey.

The proposed policy will significantly improve EPA's regulatory effort in identifying and controlling airborne carcinogens. Proposing generic standards for certain categories for sources concurrent with listing under § 112 will provide significant reduction in emissions pending development of final § 112 standards.

A mechanism for establishing regulatory priorities will insure that we address the most important or tractable problems first. The policy also provides for increased public understanding of an participation in EPA's actions and allows EPA to give earlier notice of its findings and regulatory intent to State and local regulatory authorities and to industries.

Summary of Costs

Sectors Affected: Our preliminary analyses have identified a number of source types which may emit carcinogenic substances into the atmosphere. Most of these types fall into one of the following six broad groups: (1) mining, smelting, refining, manufacture and end-use of minerals and other inorganic chemicals; (2) combustion processes, coke ovens incinerators, power plants, etc.; (3) petroleum refining, distribution, and storage; (4) synthetic organic chemical industries and end-use applications and waste disposal; (5) mining, processing, use and disposal of radioactive substances and radioactive by-products; and (6) sources of noncarcinogenic emissions which are chemically transformed into carcinogens in the atmosphere.

We intend the proposed rule only to guide the Agency in identifying and controlling airborne carcinogens. In its present form, we cannot assess its regulatory effects quantitatively. This policy will, however, provide a basis for impact assessments in subsequent regulatory actions that are taken in accord with its provisions.

Related Regulations and Actions

Internal: Other offices within EPA which are also in the process of developing carcinogen control programs include the Office of Pesticides and Toxic Substances, the Office of Water and Waste Management, and the office of Mobile Source Air Pollution Control.

A program is also underway to develop an agency wide cancer policy.

External: Related external efforts include the development of a national cancer policy by the member agencies of the U.S. Regulatory Council, the recent report by the Risk Assessment Work Group of the Interagency Regulatory Liaison Group (IRLG) on the identification of carcinogens and the quantitative assessment of risks; a staff paper by the White House Office of Science and Technology Policy on the identification, characterization, and control of potential human carcinogens; and a report to the President by the interagency Toxic Substances Strategy Committee.

Other regulatory agencies that are involved in this area include the Occupational Safety and Health Administration, which published a final policy for regulating occupational exposure to carcinogens on January 22, 1980 (45 FR 5002), the Food and Drug Administration, and the Consumer Product Safety Commission. Nongovernmental groups which have expressed interest in or made recommendations on the control of carcinogens include the Environmental Defense Fund, the American Industrial Health Council, and the Natural Resources Defense Council.

Active Government Collaboration

The Agency has presented testimony at the public hearings held after the Occupational Safety and Health Administration proposed its carcinogen policy. We have also provided information briefings for the Interagency regulatory Liaison Group and members of the President's Council on Environmental Quality and the Council on Wage and Price Stability, Congressional staff, and interested State air pollution agencies. We have participated in the proposed policy regulating chemical carcinogens issued by the Regulatory Council on October 17, 1979 (44 FR 60038).

Available Documents

"Policy and Procedures for Identifying, Assessing, and Regulating Airborne Substances Posing a Risk of Cancer"—NPRM October 10, 1979, 44 FR 58642.

"National Emission Standards for Hazardous Air Pollutants—Generic Standards"—ANPRM October 10, 1979, 44 FR 58662.

"Summary of Responses and Proposals—Testimony and Written Submissions". EPA Public Hearings on Regulatory of Carcinogenic Air Pollutants, Washington, D.C., March 23, 1978.

Testimony presented at public hearing in Washington, D.C., Boston, MA, and Houston, TX the week of March 10, 1980 as well as the written comments received.

These documents as well as others referenced in the proposed policy are available in a public rulemaking docket number OAQPS *79–14.* The docket is open for public inspection between 8:00 a.m. and 4:00 p.m. Monday through Friday at: Central Docket Section, Room 29039, Waterside Mall, 401 M Street, SW., Washington, D.C. 20460.

Regulations for the Prevention of Significant Deterioration (PSD) From Set II Pollutants (Hydrocarbons, Carbon Monoxide, Nitrogen Oxide, Ozone and Lead). (40 CFR 51.24, 52.21)*

Legal Authority

The Clean Air Act, as amended, § 166, 42 U.S.C. § 7476.

Reasons for Including This Entry

The regulation when developed and promulgated is likely to impose siting restrictions on air pollution sources because of limitations on area-wide emission totals.

Statement of the Problem

The purpose of this program is to provide for adequate representation of the public interest where the Nation's clean air resources are threatened by increases in concentrations of Set II pollutants (hydrocarbons, carbon monoxide, nitrogen oxides, ozone and lead). The present Prevention of Significant Deterioration (PSD) regulations administered by the Environmental Protection Agency (EPA) require the use of "best available control technoloy" (BACT) on all new or modified major sources of all pollutants covered by the Clean Air Act. In addition the present program also limits increases in area-wide concentrations of sulfur dioxide and particulate matter through an air quality increment system. The present program, however, does not similarly limit area-wide emission levels or air quality impacts of Set II pollutants and, therefore, cannot protect against the degradation of air quality up to the National Ambient Air Quality Standards (NAAQS). The Clean Air Act, as amended in 1977, requires EPA to respond to this problem (42 U.S.C. 7476).

Alternatives Under Consideration

EPA is now reviewing a range of regulatory alternatives which appear to be most reasonable at this time. These alternatives include the following:

Emissions Controls Only—This system would rely primarily on the requirements for best available control technology (BACT) on major new stationary sources and the Federal standards for motor vehicle emissions, with the possible addition of motor vehicle inspection and maintenance requirements. Control requirements under this system would not vary as a function of ambient pollutant concentrations or the proximity of other sources as long as the National Ambient Air Quality Standards were not violated.

Ambient Air Quality Increments—This approach would call for developing an area classification system establishing numerical limits for allowable degradation of ambient air quality. This system would be similar to that already in effect for particulate matter and sulfur dioxide.

Emission Density Zoning (EDZ)—An EDZ system would set theoretical ambient air quality increments to be used only as a guideline for establishing limits on maximum allowable emissions per unit land area. Once EPA established these emission density limits, the appropriate State or local air pollution control agency would base preconstruction review of new and modified sources on the emission density limits rather than on ambient air quality.

Inventory Management—This system would require State and local agencies to develop and maintain detailed emission inventories, with the provision for mandatory periodic public review whenever the local emission inventory increased by a preestablished quantity or percentage. The system would require this public review before allowing any further incremental increase in emissions and could include an environmental analysis, a community environmental education program, a public hearing, and a vote by elected officials from the potentially affected areas.

Statewide Emission Limitation (Bubble)—We would design this system to ensure that aggregate Statewide emissions would not increase. Every local increase (after some fixed time) would require an equivalent decrease somewhere else within the State to offset it.

Avoidance of Juxtaposed Major Sources of Hydrocarbons and Nitrogen Oxides—We would design this approach to prevent significant deterioration in air quality which results from the formation of ozone. Such a program would focus special attention on the hydrocarbon/nitrogen dioxide ratio and would prevent the location of major sources within a certain fixed distance of each other.

Emission Fees—The State would set up a fee system to strengthen the requirements for BACT on major new stationary sources. The State air pollution control agency would then levy a fee on each major new source. The fee would be based on the quantity of emissions and would thus give the source an incentive to develop and incorporate new and more effective strategies for controlling emissions.

Marketable Permits—A marketable permit system would establish permits to emit a certain fixed quantity of emissions and allow air pollution sources to buy and sell those permits. As in an emission fee system, the cost of these permits gives the source an incentive to minimize the quantity of emissions. Furthermore, the responsible air pollution control authority could limit the exact quantity of emissions within any one area by limiting the number of marketable permits allowed within that area.

Summary of Benefits

Sectors Affected: Areas of the country which are presently attaining the NAAQS for carbon monoxide, nitrogen dioxide, ozone, and lead will have a program to prevent significant air quality deterioration from those pollutants. In addition, regulations will provide special protection to national parks, national wilderness areas, and other Class I areas.

These regulations are at such an early stage of development that we cannot yet quantify benefits and costs. The benefits will vary depending on the alternative or alternatives we select. As we noted above, the regulations are unlikely to impose additional direct emission control requirements on air pollution sources, but they may impose siting restrictions because of limitations on area-wide emission totals. Once we complete the regulatory analysis, we will have a better estimate of the benefits and costs associated with this regulation.

Summary of Costs

Sectors Affected: A wide range of industries, including: transportation, electrical power plants, refineries, smelters, petrochemical, and manufacturing industries.

We do not anticipate that the regulation will affect small businesses disproportionately. The regulatory analysis will, however, specifically address this problem.

As we noted above, we will assess the costs of implementing these regulations as a part of the regulatory analysis. We already require the affected sources under the present PSD regulations to install the best available control technology (40 CFR 51.24 and 40. CFR 42.21). Therefore, the costs resulting from this regulation alone will be related only to site location.

Related Regulations and Actions

Internal: EPA has developed and currently administers regulations for the prevention of significant deterioration of air quality resulting from emissions of particulate matter and sulfur dioxide (40 CFR 51.24). The same regulations also require best available control technology on the sources potentially affected by this regulation.

External: The regulation will require each State to develop regulations to implement this program. These regulations will require EPA review and approval.

Active Government Collaboration

EPA has formed an interagency work group to assist it in the development and review of these regulations. The following are members of the workgroup: Department of Transportation; Department of Energy; Department of Interior, National Park Service, Fish and Wildlife Service and Bureau of land Management; Department of Commerce; Department of Housing and Urban Development; Department of Agriculture; and Council on Environmental Quality. In addition, we have solicited and received cooperation from State governments through the State and Territorial Air Pollution Program Administrators and local agencies throughout the Association of Local Air Pollution Control Officers.

Available Documents

None.

Visibility Protection Requirements (40 CFR Part 51.300–51.307)

Legal Authority

The Clean Air Act as amended § 169A, 42 U.S.C. § 7491.

Reasons for Including This Entry

The Environmental Protection Agency (EPA) thinks this rule is important because it will establish a new regulatory program for visibility protection.

Statement of Problem

Congress has set aside certain international parks and national wilderness areas, national memorial parks, and national parks (Class I areas) to preserve and enhance their beauty for present and future generations to enjoy. The intrinsic beauty of these areas, however, has been threatened due to visibility degrading pollution. Congress became aware of the need to protect visibility in these areas and directed EPA to explore the relationship between man-caused pollution and visibility.

From this research we can say there are generally two types of air pollution which reduce or impair visibility:

(1) smoke dust, or colored gas plumes that are emitted from stacks and obscure the sky or horizon relatable to a single source or a small group of sources, and (2) widespread, regionally homogeneous haze from a multitude of sources which impairs visibility in every direction over a large area.

These types of pollution are caused by factories and plants that emit particles and gases into the air. These substances either absorb or scatter the light, thus reducing the amount of light a person can receive from a viewed object. The practical effect is that impaired visibility degrades the aesthetic value of surrounding landscape by either discoloring the atmosphere to produce a visible plume or whitening the horizon and causing objects to appear flattened so that landscape colors and textures become less discernable or, in the case of a discernible plume, obscuring some portion of the landscape.

Current air pollutions control regulations such as the State Implementation Plan, New Source Performance Standards, and Prevention of Significant Deterioration program while requiring emission controls and protection of national ambient air quality standard, do not necessarily provide positive visibility protection in the Class I areas. Therefore, if EPA fails to implement this program, visibility in certain Class I areas will continue to be impaired and/or may be impaired in the future, thus limiting people's enjoyment of the area.

Alternatives Under Consideration

EPA could propose and promulgate a full scale program to address all types of visibility impairment. However, because of lack of technical and scientific evidence on the cause of visibility impairment the Agency prefers a phased program which will first address impairment which visual observations or other monitoring techiniques can reasonably attribute a source. The Agency plans to address other visibility problems when the source/impact relationships are better understood.

Under Phase I of the program the States, in coordination with the Federal Land Managers of the Class I areas will develop plans which will:

1. Require control of impairment that can be traced to a single major source or small group of sources,

2. Evaluate and control new sources to prevent future impairment, and

3. Require States to adopt other strategies to remedy existing and prevent future visibility impairment.

Future phases will further implement the visibility program by addressing more complex problems such as regional haze and urban plumes. Under this alternative, we will promulgate future phases when improvement in monitoring techniques provides more data on source specific levels of visibility, regional scale models become refined, and our general scientific knowledge or visibility improves.

We expect that Phase I of the visibility protection program will serve as a basic framework into which future phases can be incorporated. In other words, the basic plan requirements will remain consistent while only the elements which define the scope of Phase I will change in response to advances in our technical knowledge.

Summary of Benefits

Sectors Affected: The 156 mandatory Class I Federal areas where EPA has determined that visibility is an important value (44 FR 69122, November 30, 1979) and the millions of visitors who use those areas.

These regulations and the State plans developed to implement them will reduce the man-made visibility impairment in those Class I areas. In addition, any added controls on existing and new sources will provide general visibility improvement in the region around those areas.

Summary of Cost

Sectors Affected: EPA expects that fossil fuel fired power plants and a few large industrial complexes (such as pulp mills and smelters) in the Western United States will feel the primary economic effects of the first phase of the program.

The costs of the existing industries involved will be the capital and annual operating costs of additional control equipment. In the case of electric power plants, we expect the costs to be passed on, in the form of rate increases, to the customers of these facilities. EPA will quantify costs as we define regulatory alternatives.

New sources and modification of existing sources which impact the visibility in Class I areas may require additional controls or may be presented from building.

Related Regulations and Actions

Internal: EPA's Prevention of Significant Deterioration regulations (40 CFR 51.24 and 52.21), which govern new source controls and location, affect many of the sources which visibility regulations will affect. Also, EPA's new source performance standard for utility boilers (40 CFR 60 Subpart D) places controls on power plants.

External: Approximately 36 States will be required to develop implementation plans. These plans will require EPA's review and approval.

Active Government Collaboration

EPA has formed an interagency work group to assist it in the development and review of these regulations. The following are members of the work group: Department of Agriculture, U.S. Forest Service; Department of Interior, National Park Service, Fish and Wildlife Service, and Bureau of Land Management; Department of Energy; Tennessee Valley Authority; and Council on Environmental Quality. In addition, we have solicited and received cooperation from State government through the State and Territorial Air Pollution Program Administrators, and local agencies through the Association of Local Air Pollution Control Officers.

Available Documents

Designation of mandatory Class I Federal area where visibility is an important value. 40 CFR Part 81 (44 FR 69122, November 30, 1979)

We published the NAPRM on November 30, 1979 (41 FR 69116).

"Protecting Visibility: An EPA Report to Congress" (EPA 450/5–79–008) Strategies and Air Standards Division, Office of Air Quality Planning and Standards, U.S. Environmental Protection Agency, Research Triangle Park, North Carolina 27711.

"The Development of Mathematical Models for the Prediction of Anthropogenic Visibility Impairment" (EPA–450/3–78–110 a, b, c), (FINAL), National Technical Information Service, 5285 Port Royal Rd., Springfield, Virginia 22161 (PB 293119, PB 293120, PB 293121).

Heavy-Duty Diesel Particulate Regulations (40 CFR Part 86*)

Legal Authority

The Clean Air Act, as amended, § 202, 206, 207, and 301, 42 U.S.C. §§ 7521, 7525, 7541, and 7601.

Reason for Including This Entry

The Environmental Protection Agency (EPA) thinks that this rule is important because it may have an annual effect of $100 million or more on the economy.

Statement of Problem

Despite significant gains made in the control of particulate emissions, there are still many regions of the U.S. which are not able to meet the National Ambient Air Quality Standards (NAAQS) for total suspended particulate matter (TSP). To help improve this situation, the Congress required EPA (through the Clean Air Act Amendments of 1977) to prescribe standards for the 1981 model year for the emission of particulate matter from heavy-duty diesel vehicles. EPA must base this standard on the lowest emission rates that we find technologically feasible at the time the standard will take effect, while also taking cost, noise, energy, and safety into consideration.

Diesel engines already power one-third of the heavy-duty vehicles sold in this country. By 1990, EPA expects this figure to increase to over two-thirds, primarily because of the fuel economy advantage of diesel engines over gasoline engines. These diesels emit 40–100 times the particulate matter emitted by catalyst-equipped vehicles operated on unleaded gasoline. (EPA expects that most gasoline-fueled heavy-duty vehicles will require catalysts and unleaded gasoline beginning in 1984 due to stringent standards for the emissions of hydrocarbons and carbon monoxide (see 45 FR 4136, January 21, 1980.) Heavy-duty diesel vehicles, if left uncontrolled, would emit 171,000–241,000 metric tons per year of particulate matter to the atmosphere by 1990. Urban areas would be the most seriously affected by these emissions. Ambient particulate levels from heavy-duty diesels alone would reach 2–7 micrograms per cubic meter (annual geometric mean) in cities such as Chicago, Los Angeles, New York, and Dallas. Somewhat smaller levels of 2–5 micrograms per cubic meter (annual geometric mean) would occur in smaller cities such as St. Louis, Denver, and Phoenix. These levels would occur over large-scale areas within these cities. Additional diesel particulate levels of 4–6 micrograms per cubic meter (annual geometric mean) would be expected in localized areas within 90 meters of very busy roadways. If controls are not applied, these ambient impacts would hinder the efforts of many urban air quality control regions to meet the primary NAAQS for TSP of 75 micrograms per cubic meter. This NAAQS was set at a level to protect the public health and many areas of the country are currently exceeding the standard.

Diesel particulate is of a particular health concern due to its chemical nature. Diesel particulate contains polycyclic organic matter, which is believed to be carcinogenic, and carbon,

which can synergistically increase the effects of other pollutants. The extractable organic fraction of diesel particulate has been shown to be mutagenic in short-term bioassays. EPA is currently performing a health assesment to determine the carcinogenic risk (if any) to human health.

Diesel particulate is also extremely small in size, allowing it to penetrate deeply into the lungs. Over 95 percent of diesel particulate is fine (aerodynamic diameter of less than 2.5 micrometers). Fine particles, such as these, have the greatest potential health impact as they have the longest contact with the most sensitive areas of the respiratory tract. Particulate emitted from diesels also has a greater relative exposure impact than that from many stationary sources because it is emitted at ground level in areas where people live and work.

Alternatives Under Consideration

EPA will consider the following alternatives when proposing a standard for particulate emissions from heavy-duty diesel vehicle engines.

(A) Do not regulate particulate emissions from heavy-duty diesel vehicles, but apply additional controls to particulate emissions from stationary sources. Control of particulate emissions from stationary sources may be less costly than controlling particulate emissions from heavy-duty diesel vehicles. But these stationary source controls could also be more costly and may not be able to provide the necessary improvements in air quality which are available from the control of heavy-duty diesel vehicles.

Do not regulate particulate emissions from heavy-duty diesel vehicles, but apply more stringent controls to particulate emissions from other classes of motor vehicles. Controls placed on these other vehicle classes may be more effective or less costly, than heavy-duty diesel controls. But controls placed on these other vehicle classes may be more costly and less effective, and may not be able to provide the same improvement in air quality as the regulation of emissions from heavy-duty diesels.

(C) Prescribe a heavy-duty diesel particulate standard and examine alternative levels of control along with alternative dates of implementation. It is likely that the different alternatives examined will have different costs and effectiveness and one may prove to be significantly better than the others, while still complying with Congressional mandates.

We currently regard alternative C as the most desirable alternative. Additional particulate controls available for stationary sources and other mobile sources do not appear able to reduce particulate emissions enough to remove the need for regulation of particulate emissions from heavy-duty diesel engines.

Summary of Benefits

Sectors Affected: The general public, particularly those living in urban areas or near busy roadways; those members of the public who are especially susceptible to respiratory disease; and those states containing areas currently in violation of the National Ambient Air Quality Standard (NAAQS) for total suspended particulate matter (TSP).

EPA estimates that this regulation will reduce particulate emissions from heavy-duty diesel vehicles by 50 to 75 percent. This reduction would begin to appear with those new vehicles produced in the 1985 model year. By 1990, emissions of particulate matter from these vehicles would be reduced from 171,000–241,000 metric tons per year (depending on the number of diesels on the road) to 71,000–147,000 metric tons per year. Urban levels of heavy-duty diesel particulate in the atmosphere would be reduced from 2–7 micrograms per cubic meter to 1–4 micrograms per cubic meter. Roadside levels would be reduced similarly. These reductions will help many areas of the country meet the primary NAAQS for TSP (75 micrograms per cubic meter) which EPA set at a level to protect the public health. Because diesel particulate is higly respirable, these reductions should provide an added benefit in the area of public health.

Also, because diesel particulate is very small (average diameter of 0.07–0.2 micrometer) and is primarily made up of carbon, they are very effective in reducing visibility. Thus, any reduction in their concentration should improve visibility, particularly in urban areas.

Summary of Costs

Sectors Affected: Manufacturers of heavy-duty diesel engines and vehicles; purchasers and users of heavy-duty diesel vehicles; and firms and individuals who ship freight via heavy-duty diesel vehicles.

This regulation probably will require the addition of emission control devices to heavy-duty diesel engines, though the actual devices used and their cost could vary from manufacturer to manufacturer and engine to engine. Manufacturers of these engines and the vehicles equipped with these engines will have to raise prices to recover their increased investment. While this increase could be substantial, very roughly a one-time purchase price increase of $200–$600 (1980 dollars), EPA does not expect this to adversely affect sales. This increase only represents a one to three percent increase in the price of a heavy-duty diesel vehicle.

EPA does not expect this regulation to increase the operating costs of heavy-duty diesel vehicles, in fact a decrease may actually be possible. Because operating costs comprise 90–95 percent of the total cost of owning and operating heavy-duty diesel vehicles, this regulation should have a negligible impact (less than 0.5 percent) on the cost of hauling freight in these vehicles. Thus, neither those whose business is hauling freight nor those who have their freight hauled should be adversely affected. Small, independent haulers should experience no disproportionate effect.

Related Regulations and Actions

Internal: 40 CFR Part 86, "Control of Air Pollution from New Motor Vehicles and New Motor Vehicle Engines: Certification and Test Procedures."

EPA is also in the process of revising the standard for the emissions of nitrogen oxides from both gasoline-fueled and diesel heavy-duty engines.

External: None.

Active Governmental Collaboration

None.

Gaseous Emission Regulations for 1983 and Later Model Year Light-Duty Trucks (40 CFR Part 86)*

Legal Authority

The Clean Air Act, as amended, §§ 202, 206, 207, and 301, 42 U.S.C. §§ 7521, 7525, 7541, and 7601.

Reason for Including This Entry

The Environmental Protection Agency thinks this rule is important because we expect it will have an annual economic impact of more than $100 million.

Statement of Problem

The Clean Air Act as amended in 1970 contained many provisions aimed at removing harmful pollutants from the air we breathe. Among other things, the 1970 Act called for the establishment of National Ambient Air Quality Standards. These levels were to be set such that there would be no danger to public health and welfare. To date, ambient air quality standards have been set for five pollutants: particulate matter, sulfur dioxide (SO_2), carbon monoxide (CO), nitrogen dioxide (NO_2) and ozone (of which hydrocarbons (HC) is the main precursor). Of these five pollutants, mobile sources are major contributors to the total pollutants emitted for three: HC, CO, and NO_x. This regulation package concerns the

establishment of standards for HC and CO from light-duty trucks.

Both HC and CO emission have been related to adverse health effects. Briefly, HC emissions react with sunlight to form ozone and other photochemical oxidants. Ozone is a pulmonary irritant that affects the respiratory mucous membranes, other lung tissues, and respiratory functions. CO when inhaled replaces oxygen in the blood. The presence of CO adversely affects the carrying and delivering capacity of oxygen by the blood.

Although significant improvements have been made in air quality since 1970, a review of air quality monitoring data makes it clear that additional reductions in HC and CO emissions will be necessary if ambient air quality goals set by Congress in the Clean Air Act are to be achieved. On March 3, 1978, EPA published in the **Federal Register** a listing on a State-by-State, pollutant-by-pollutant basis, of the attainment status of every area of the Nation (43 FR 8962). This information, compiled by the respective States and reviewed by EPA, was the most accurate picture available of the nation's air quality status as of the adoption of the Clean Air Act Amendments. These data indicated that of 3215 counties or county equivalents covered by those designations, 607 (19 percent) were classified as nonattainment for photochemical oxidant, and 190 (6 percent) were classified as nonattainment for carbon monoxide. Nonattainment status indicates that the given area fails to meet the primary national ambient air quality standard (NAAQS) for the pollutant under consideration based upon either direct air quality monitoring or indirect estimates for areas lacking monitoring data. Current nonattainment data is available to indicate the changes which have occurred since 1977. As of July 1979, the nonattainment designations include 586 (18 percent) counties for ozone and 164 (5 percent) for carbon monoxide.

Light-duty trucks (LDTs) contribute a significant portion of the total nationwide emissions of HC and CO, yet to date we have not controlled LDTs to the stringency represented by existing light-duty vehicle (passenger cars only) standards which is greater than a 95 percent reduction of HC and CO from the uncontrolled state. Presently, LDTs contribute more than 16 percent and 15 percent of the total mobile source hydrocarbon and carbon monoxide emissions, respectively. If we impose no further control we project that they will contribute more than 20 percent of the hydrocarbon emissions and 29 percent of the carbon monoxide emissions in the urban areas of the United States by 1995.

In recognition of the above facts, the Clean Air Act, as amended in 1977, granted the Environmental Protection Agency the statutory authority to reduce HC and CO emissions from light-duty trucks by at least 90 percent (from uncontrolled levels).

Alternatives Under Consideration

In the broadest sense, the Environmental Protection Agency considered the following alternatives in proposing this action:

(A) Implement more stringent HC and CO standards than the minimum 90 percent reductions mandated by the Clean Air Act.

(B) Separate the light-duty truck class into two subcategories by weight (those under 6,000 pounds and those over 6,000 pounds gross vehicle weight (GVWR) and set separate standards for each).

(C) Implement HC and CO standards that represent a 90 percent reduction from baseline levels.

We did not consider less stringent control of HC and CO emissions from the 6,000 to 8,500 pounds GVWR group as an additional alternative since the Clean Air Act requires at least a 90 percent reduction in 1983. We may only consider alternatives involving less stringent standards if we determine that the technological infeasibility provisions of § 202(a)(3)(C) of the Act apply. EPA did not find the conditions existed to justify less stringent standards.

EPA did not seriously consider standards more stringent than the 90 percent reductions (alternative A) because Congress had determined that these levels were reasonable reductions achievable on the specified schedule with current control technology. Both EPA and the manufacturers provided Congress with the information necessary to arrive at these mandated reductions. Also, the extremely short timetable for promulgating the new standards hindered EPA's ability to fully examine the alternative of more stringent standards. EPA will continue looking into the feasibility of promulgating more stringent standards if necessary.

It would be possible to divide the LDT class into smaller categories based upon finer divisions in GVWR, curb weight, or other features (alternative B). Presently, LDTs with the least technological potential for emission reductions (generally those with the highest inertia weights and roadloads) constrain the stringency of the emission standards for the entire class. By subdividing the class, we could set more stringent standards for the smaller LDTs.

We could see a greater reduction in total emissions from the light-duty truck class if we adopted this alternative. However, such an approach would take away some of the manufacturers' incentive to reduce LDT weight and thus improve fuel economy. Because of these foregone fuel economy benefits and also leadtime constraints, EPA is postponing consideration of this alternative.

Alternative C is the alternative that EPA proposes. The Agency has determined that the 90 percent reductions in HC and CO are achievable at a reasonable cost. We anticipate there will be no associated fuel economy penalties with the application of electronic engine controls (EECs). The use of EECs will be due to increased market pressures and fuel economy regulations.

Summary of Benefits

Sectors Affected: Air Quality in Urban areas and general public in those areas.

EPA's environmental impact analysis indicates that the proposed regulations will reduce the lifetime emissions of an average LDT by 76 percent for HC and 82 percent for CO. Based on a cross section of urban areas experiencing air quality problems, these reductions in per vehicle emissions will by 1995 yield improvements of 1 to 2 percent in average ozone air quality and 3 to 4 percent in average carbon monoxide air quality.

Summary of Costs

Sectors Affected: Light-duty truck manufacturers; purchasers of light-duty trucks; business; and government.

EPA estimates that compliance with the proposed 1983 requirements will increase the average purchase price of a light-duty truck by approximately $95 (in 1980 dollars) which is a 1 percent to 2 percent increase to the average purchase price. We do not anticipate any increase in operating or maintenance costs.

The estimated increase in the average price of a light-duty truck will contribute about 0.0075 percentage points to the rate of increase in the Consumer Price Index, an indicator of general price levels of products purchased by consumers during 1983. This very slight increase is not inflationary.

The estimated aggregate cost of compliance to the nation for the five-year period 1983 through 1987 is $1.28 billion (in 1980 dollars). This figure is the aggregate cost, based on a discount rate of 10 percent, to the beginning of the five-year period. Use of a discount rate emphasizes that because of the time

value of money, a cost incurred now is worth more to the nation than a cost incurred in the future.

Related Regulations and Actions

Internal: Current emission standards for light-duty trucks are found in "Control of Air Pollution from New Motor Vehicles and New Motor Vehicle Engines: Certification and Test Procedures," 40 CFR Part 86. Regulations implementing the Department of Transportation light-duty truck fuel economy standards are found in "Fuel Economy of Motor Vehicles," 40 CFR Part 600.

EPA has recently finalized standards and measurement procedures for the control of particulate emissions from diesel-fueled light-duty trucks ("Standard for Emission or Particulate Regulation for Diesel-Fueled Light-Duty Vehicles and Light-Duty Trucks," 45 FR 14496, March 5, 1980). Other related regulations we recently finalized are HC and CO emission regulations for 1984 and later model year heavy-duty vehicles. These regulations are very similar to the light-duty truck proposal we describe here, in that they finalized HC and CO standards representing 90 percent reductions from uncontrolled levels. Further information is available in "Gaseous Emission Regulations for 1984 and Later Model Year Heavy-Duty Engines," 45 FR 4136, January 21, 1980.

In addition to the existing regulations above, EPA is in the process of developing revised oxides of nitrogen standards for light-duty trucks effective in the 1985 model year.

External: Light-duty vehicle and light-duty truck fuel economy standards are found in the Department of Transportation "Passenger Automobile Average Fuel Economy Standards," 41 CFR Part 531.

Active Government Collaboration

Department of Transportation, Council on Wage and Price Stability, Department of Commerce.

Available Documents

NPRM—44 FR 40784, July 12, 1979

Draft, Regulatory Analysis and Environmental Impact of Final Emission Regulations for 1983 and Later Model Year Light-Duty Trucks.

Public Docket OMSAPC–79–2 (LDT Rulemaking)

Public Docket OMSAPC–78–4 (1984 HDT HC and CO Rulemaking)

All documents can be inspected and copied at the U.S. Environmental Protection Agency, Central Docket Section, Waterside Mall, Room 2903B, 401 M Street S.W., Washington, D.C. 20460.

Gaseous Emission Regulations for 1985 and Later Model Year Light-Duty Trucks and Heavy-Duty Engines (40 CFR Part 86°)

Legal Authority

The Clean Air Act, as amended, § 202, 42 U.S.C. § 7521.

Reason for Including This Entry

The Environmental Protection Agency thinks this rule is important because we expect it will have an annual economic impact of more than $100 million.

Statement of Problem

The Clean Air Act Amendments of 1977 mandate the establishment of regulations which require a reduction (from the uncontrolled state) of heavy-duty engine or vehicle emissions of 90 percent for hydrocarbon (HC) and carbon monoxide (CO) in 1983 and 75 percent for oxides of nitrogen (NOx) in 1985. As defined in the Act, heavy-duty vehicles include those trucks over 6,000 pounds gross vehicle weight (GVW); excluded are off-road vehicles such as farm tractors and construction equipment. This definition overlaps two truck categories as used by EPA. These are light-duty trucks (LDTs) which EPA defines as trucks up to 8,500 pounds GVW, and heavy-duty vehicles (HDVs) which includes the 8,500 pounds GVW and over trucks. Regulations implementing the mandated reductions in HC and CO emissions were published on January 21, 1980 (45 FR 4136) for HDVs and are in the process of being finalized for LDTs.

During high temperature combustion in internal combustion engines, atmospheric nitrogen reacts to form nitrous oxide (NO) and a comparatively small amount of nitrogen dioxide (NO_2). In the atmosphere, the NO is converted to NO_2 by direct reaction with oxygen and by photochemical processes. NO_2 in the atmosphere causes visibility restrictions and brownish coloration. Elevated NO_2 levels are also associated with both long-term and short-term health effects on the respiratory system.

Based upon the present annual standard of 0.05 parts per million, EPA has identified several (8 or less) Air Quality Control Regions which are currently exceeding acceptable levels. EPA's analysis of future oxides of nitrogen (NOx) emissions indicates that current light-duty and heavy-duty vehicle NOx control strategies will produce some overall NOx reductions through the mid-1980's, after which annual growth of vehicle sales, industry, and other sources contributing to pollution will begin to dominate. Thus, to even maintain the status quo, further NOx controls will be needed. Heavy-duty vehicles and light-duty trucks, representing approximately 40 percent of mobile source NOx emissions, constitute one area where further, in addition to already existing, NOx control is available on a cost-effective basis. Mobile sources themselves constitute about 30 percent of total NOx emissions.

The Clean Air Act Amendments of 1977 mandate the establishment of regulations which require a reduction of heavy-duty engine emissions by 75 percent for NOx beginning in 1985. These amendments also provide EPA with options to either temporarily revise or change the standards under certain conditions.

Alternatives Under Consideration

In the development of the NOx standard EPA will consider the following alternatives.

(A) Implement an oxides of nitrogen standard that reflects the Clean Air Act's mandated 75 percent reduction.

(B) Implement an oxides of nitrogen standard that is either less stringent or more stringent than the 75 percent reduction required by the Clean Air Act.

(C) Establish a corporate average standard which would allow a manufacturer to average in some way the fleet emissions of oxides of nitrogen. The average emission level, rather that the specific emission level of each vehicle or engine, would have to meet the standard.

With regard to alternatives A and B, EPA is currently evaluating the advantages and disadvantages of both alternatives. The Clean Air Act (as amended August 1977) directs EPA to set an oxides of nitrogen standard that reflects a 75 percent reduction (from uncontrolled levels) applicable for the 1985 model year. However, provisions are incorporated in the Act allowing EPA either to set more stringent standards or less stringent standards. EPA can make such revisions to the standard if it finds that the emission standards cannot be achieved by available technology at reasonable cost. Of course, as standards are made more stringent, more benefits will accure. Likewise as standards become more stringent costs of compliance will generally increase. The task confronting EPA is one of determining technological capabilities, and balancing costs and benefits.

EPA is considering alternative C as a means of obtaining necessary NOx reductions, and at the same time allowing greater flexibility to the manufacturers in complying with emission standards. Under an averaging

approach a manufacturer could achieve compliance to an emission standard by averaging its aggregate fleet emissions. Some engines could be designed to be below the standard and others above it. Conceptually, this approach could increase a manufacturer's flexibility from both a technology and an economic standpoint. there are some disadvatnages to such an approach that still need attention, principally they are the basic inconsistencies of such an approach with the requirements of the Clean Air Act, the complexity of enforcement, and the inherent inequities between manufacturers of different total sales and products.

At the present time the Agency considers alternative A as the most likely option to propose. However, we will continue to address issues such as technological capability and cost in the development of the final rule. It is possible that after analyzing manufacturers' comments, EPA will reconsider alternative B. It is also quite probable that EPA will pursue alternative C further in the proposal. Specifically, EPA may solicit comments and suggested approaches to an averaging standard to help the Agency in further evaluation of such an approach to mobile source emission control.

Summary of Benefits

Sectors Affected: Urban areas and associated populations.

Although a thorough and detailed benefit analysis has not been performed yet, we can roughly estimate the environmental impact. A proposed NOx standard representing a 75 percent reduction from uncontrolled levels would reduce lifetime emissions of an average light-duty truck by 500 pounds and of an average heavy-duty vehicle by approximately 1 ton and 7 tons for gas and diesel, respectively (compared to vehicles sold under present regulations). These reductions will yield improvements in excess of 10 percent in average NOx air quality by 1995.

Summary of Costs

Sectors Affected: Manufacturers of heavy-duty engines and vehicles, and light-duty trucks; purchasers and users of heavy-duty engines and vehicles, and light-duty trucks.

This regulation will require the addition of engine emission control hardware and/or engine modifications in order to comply with the proposed NOx standard. Consequently, to cover the cost of any new hardware or engine modification, manufacturers will have to increase the price of their products. Although precise cost estimates are not available at this time, it is projected that the average price increases of a light-duty truck of gasoline-fueled heavy-duty vehicle may be as high as $250 (in 1980 dollars). Diesel heavy-duty vehicle first cost increases could be more than $200 (in 1980 dollars) or less than 1 percent of the total cost per vehicle. Slight increases in maintenance costs may result, however no estimates are available at this time.

Related Regulations and Actions

Internal: Current emission standards for light-duty trucks and heavy-duty engines can be found in "Control of Air Pollution from New Motor Vehicles and New Motor Vehicle Engines: Certification and Test Procedures," 40 CFR Part 86. Regulations implementing the Department of Transportation light-duty truck fuel economy standards are found in "Fuel Economy of Motor Vehicles," 40 CFR Part 600.

EPA has recently finalized standards and measurement procedures for the control of particulate emissions for diesel-fueled light-duty trucks ("Standard for Emission of Particulate Regulation for Diesel-Fueled Light-Duty Vehicles and Light-Duty Trucks," 45 FR 14496, March 5, 1980). Another related regulation recently finalized are HC and CO emission regulations for 1984 and later model year heavy-duty vehicles. For further information consult "Gaseous Emission Regulations for 1984 and Later Model Year Heavy-Duty Engines," 45 FR 4136, January 21, 1980.

In addition to the existing regulations above, EPA is in the process of finalizing more stringent hydrocarbon and carbon monoxide standards for light-duty trucks, and developing particulate regulations for heavy-duty diesel engines.

External: Light-duty vehicle and light-duty truck fuel economy standards are found in the Department of Transportation "Passenger Automobile Average Fuel Economy Standards," 41 CFR Part—

Active Government Collaboration

Department of Transportation, Council on Wage and Price Stability, Department of Commerce.

Available Documents

None at this time.

Fuels and Fuel Additives (40 CFR Part 79*)

Legal Authority

The Clean Air Act, as amended, § 211, 42 U.S.C. § 7545.

Reason for Including This Entry

The Environmental Protection Agency (EPA) thinks that this rule is important because it may have a marked effect on the way fuels and fuel additives are developed and marketed. While this rule may not have an annual impact of $100 million or more, the synthetic fuel and fuel additive areas will be active ones in the future as the nation attempts to lessen its dependence on foreign oil.

Statement of Problem

In 1977, Congress amended the Clean Air Act and added § 211(e) to the Act, which requires the Environmental Protection Agency (EPA) to develop regulations to test the environmental and health effects of fuels and fuel additives. Section 211(e)(2) establishes deadlines by which the manufacturer must provide the requisite information to the EPA Administrator. Section 211(e)(3) authorizes the administrator to: (1) exempt small businesses from the regulations, (2) provide for sharing of testing costs among manufacturers who desire to register identical compounds, and (3) exempt businesses from duplicative testing requirements.

The present registration regulation requires that manufacturers submit certain information on the chemical composition and the toxicity of fuels and fuel additives to the extent this information is known to the manufacturer as the result of testing conducted for reasons other than fuel registration (40 CFR 79.31(c)).

The proposed action may require the manufacturer to perform certain physical, chemical, and biological testing of fuels and fuel additives before registration.

Alternatives Under Consideration

Our preferred alternative is to require testing on a tier basis. This approach would require manufacturers to report the chemical composition of all candidate fuels and fuel additives. If, based on chemical composition, EPA can make a determination that the environmental and health impacts are insignificant, further testing may not be required.

The second alternative would require full testing for all fuels and fuel additives with no exemptions. Approximately 2,000 fuels and fuel additives would require full environmental and health testing. This alternative would be unnecessarily costly, since many fuels and fuel additives whose environmental impact we can predict to be small or negligible will have to be tested.

The third alternative would be to submit regulated pollutants only (NOx, CO, hydrocarbons) to registration and performance testing but not to health or environmental testing. This is the present system as required by 40 CFR 79 but which the Congress changed.

Summary of Benefits

Sectors Affected: The general public, particularly those living in urban areas where the concentration of vehicles is greatest; and those people who live near or work in plants which produce fuels or fuel additives.

The benefits we expect from this regulation is the protection of public health. Those fuels and fuel additives and the products of their combustion, which may be harmful to public health, will be identified and eliminated from the market place, where appropriated.

We cannot estimate the economic benefits, in terms of reduction in respiratory and other diseases, at this time. However, because of the current cost of medical services and because of the generally accepted view that prevention is preferable to treatment of diseases, the expected economic and social benefits, although they are not quantifiable at this time, should be significant.

Summary of Costs

Sectors Affected: The petroleum industry; the automotive industry; and the users of motor vehicles or their services (to the extent that regulatory costs would be passed on to consumers). Small businesses would be exempt from the most costly tests.

There are over 2,000 fuels and fuel additives presently registered under § 211 of the Clean Air Act. We estimate that approximately 200 of these will require some degree of testing by the manufacturers. The cost to the industry of implementing these tests should be between $90 and $120 million. These costs will be distributed over the first three years of regulation, because by law all fuels and fuel additives must meet the testing requirements within three years of the date of promulgation of this regulation.

Related Regulations and Actions

Internal: 40 CFR Part 79, "Fuels and Fuel Additives Registration;"

40 CFR Parts 161, 162 and 163, "Proposed Guidelines for Registration of Pesticides;"

40 CFR Part 772, "Toxic Substances Control Act, § 4, Carcinogen Protocols and Chronic Toxicity Protocols;" and

40 CFR Part 50, "Ambient Air Quality Standards."

External: None.

Active Government Collaboration

Health testing protocols will be submitted to the Interagency Regulatory Liaison Group for screening before the regulation is promulgated.

Comments may be sent to:

Charles L. Gray, Jr., Director, Emission Control Technology Division, Environmental Protection Agency, 2565 Plymouth Road, Ann Arbor, MI 48105

Final Rule—July, 1982

Final Rule Effective—Three years after promulgation of regulation.

Available Documents

"Testing for Health Effects on Fuels and Fuel Additives" by Gause, et al., Environmental Monitoring Systems Laboratory, Research Triangle Park, NC 27711.

Test Plan to "Study the Effect of MMT on Emissions as a Function of Fuel and Additive Composition," EPA–600/2–750048, September 1975.

ANPRM—43 FR 38607, August 29, 1978, EPA docket ORD–78–1.

All documents available for review at the EPA, Central Docket Section, Waterside Mall, Room 2903B, 401 M Street SW., Washington, D.C. 20460. The documents are available for personal inspection or copies can be obtained by personal or written request. A reasonable fee may be charged for copying.

Control of Organic Chemicals in Drinking Water 40 CFR, Part 141

Legal Authority

The Safe Drinking Water Act, as amended, § 1412, 42 U.S.C. § 300(f) *et seq.*

Reasons for Including This Entry

Regulation is likely to impose costs of over $100 million.

Statement of Problem

Recent technological developments in sophisticated analytical measurement techniques have resulted in the identification of numerous organic contaminants in drinking water that may pose a health risk to consumers. On November 29, 1979, EPA published regulations designed to control one class of these organic chemicals, the trihalomethanes (THMs). Future measures to control organic chemicals in drinking water are proceeding through two related approaches:

I. Treatment Technique Requirement for the Control of Synthetic Organic Chemicals—to be reproposed, Late 1980 to early 1981.

II. Control of volatile organics in drinking water; to be proposed, Late Summer 1980.

I. Treatment Technique Requirement: Synthetic Organic Chemicals

Synthetic organic chemicals are chemicals which enter sources of drinking wager as a result of industrial discharges, spills, sewage discharge and urban and rural rainwater runnoff (non-point sources). Some of these organic chemicals are either known or suspected carcinogens. The list of synthetic organic chemical contaminants that have been found at least once in drinking water has grown to over 900. Because of the technical infeasibility of controlling every synthetic organic contaminant individually by setting an MCL, EPA has determined that control of a broad spectrum of organic chemicals by a treatment technique (granular activiated carbon) or equivalent technology would be appropriate in certain locations where substantial risk of contamination exists. The intent of these regulations is to improve the quality of drinking water at the tap and reduce the health risk to the public from long term exposures to synthetic organic chemicals in drinking water. This proposal would amend EPA's National Interim Primary Drinking Water Regulations (NIPDWR), or equivalent regulations adopted by the States, which apply to all public water systems in the United States.

Alternatives Under Consideration

The alternatives being considered include requirements for community water systems to install granular activated carbon treatment (GAC), or its equivalent, if they serve more than 10,000 people and use sources of drinking water which are vulnerable to contamination by synthetic organic chemicals. The reproposed regulations will consider, among other possibilities, changes in the application of the GAC technology, in that the GAC requirement might be achieved by replacing sand with GAC in existing filter beds, and the frequency of reactivation (removal of adsorbed organic chemicals from the GAC) of the GAC would be specified in the regulations. Frequencies for reactivation of the GAC under consideration range from six months to one year.

Since the original proposal, criteria for determining which public water systems are vulnerable to contamination by synthetic organic chemicals have been re-evaluated and the reproposed regulations may specify rivers or stream segments that are considered to be subject to such contamination. These

water sources will be chosen through an evaluation of the number and type of industrial/municipal discharges upstream of drinking water intakes, an estimate of the transportation of industrial and agricultural chemicals on the water way and the potential contamination by non-point sources (e.g., urban runoff).

Summary of Benefits

Sectors Affected: The sectors affected include the American public in general, municipally and privately owned public water systems and all segments of the water supply industry, including consulting sanitary engineers, analytical chemists, plant operators, equipment manufacturers and suppliers.

The reproposed treatment technique for control of synthetic organic chemicals will provide protection to a larger population at a lower per capita cost (upwards of 80 percent of the American population at a per capita cost of $2.60 to $7.10) than would the original proposal (52 percent of the population and $7.10 to $26.10, respectively). The reproposed technique provides broad spectrum protection from synthetic organic contaminants and could be implemented two to three years earlier than the original proposal.

Summary of Costs

Sectors Affected: The sectors affected include the American public in general, state and local governments, public water systems (both privately and publicly owned).

The estimated total national capital cost to implement this reproposal is $333 million over three years (in 1980 dollars). It is estimated that such expenditures will increase local water rates by approximately $5 per year per family of three in those communities whose water supply system would install GAC facilities.

Related Regulations and Actions

Internal: All EPA regulations that affect control of chemical contamination of water would be indirectly related, including: Effluent Guidelines, National Pollution Discharge Elimination System, and Water Quality Criteria.

External: State programs would deal with decisions on variances and exemptions from the regulations, and would provide technical assistance to public water systems making changes in their treatment processes.

Active Government Collaboration

Supporting documentation for the health basis of the proposed regulation requires information-sharing with the National Cancer Institute, National Institute of Environmental Health Sciences, Consumer Products Safety Commission, Occupational Safety and Health Administration, and the Food and Drug Administration. Also, we have gained data supporting development of criteria to determine if public water systems are vulnerable to contamination by synthetic organic chemicals through cooperation with the Coast Guard, Department of Transportation, and the Department of Commerce.

Available Documents

ANPRM—41 FR 28991, July 14, 1976

"Drinking Water and Health," National Academy of Sciences, 1977.

"National Organics Reconnaissance Survey," EPA, Municipal Environmental Research Laboratory, 1975.

"National Organics Monitoring Survey," EPA, Office of Drinking Water.

"Statement of Basis and Purpose for an Amendment to the National Interim Primary Drinking Water Regulations on a Treatment Technique for Synthetic Organic Chemicals," EPA, Office of Drinking Water, 1977.

"Economic Analysis of Proposed Regulations on Organic Contaminants in Drinking Water," EPA, Office of Drinking Water, 1977.

"Draft Interim Treatment Guide for the Control of Synthetic Organic Contaminants in Drinking Water Using Granular Activated Carbon," EPA, Municipal Environmental Research Laboratory, 1978.

"Revised Economic Impact Analysis of Proposed Regulations on Organic Contaminants in Drinking Water," EPA, Office of Drinking Water, 1978.

"Operational Aspects of Granular Activated Carbon Adsorption Treatment," EPA, Municipal Environmental Research Laboratory, 1978.

NPRM—43 FR 5766, February 9, 1978.

National Academy of Sciences Study on Granular Activated Carbon, 1979.

Agency contact:

Joseph A. Cotruvo, Ph.D., Director
Criteria and Standards Division,
Office of Drinking Water (WH–550),
Environmental Protection Agency,
Washington, D.C. 20460 (202) 472–5016

II. Control of Volatile Organics in Drinking Water

Recent information indicates that a number of volatile organic chemicals exist in both raw and finished drinking waters, particularly in ground water supplies which have been contaminated by improper waste disposal practices. Accordingly, revisions to the existing NIPDWR will be proposed to include MCLs for certain volatile organic chemicals. At this time, contamination of drinking water by the volatile organics has been found to be most serious in ground waters in urbanized and industrial areas. The levels of occurrence, coupled with the suspected carcinogenicity and toxicity of several identified compounds, appear to support the setting of MCLs for several of the following compounds:

- Trichloroethylene
- Carbon tetrachloride
- Tetrachloroethylene
- 1,2-Dichloroethane
- 1,1,1-Trichloroethane
- 1,1-Dichloroethane
- Dichloroethylenes (3)
- Methylene chloride
- Vinyl chloride

If EPA takes no action with regard to the above chemicals, a possible health risk to the public will continue to exist and the overall quality of drinking water will be suspect in those ground water areas.

Alternatives Under Consideration

Specific options are being developed and alternatives will be separately evaluated for each contaminant. MCLs will be proposed only after careful evaluation of the best available evidence in the areas of epidemiology, toxicology, analytical methods, quality assurance, monitoring requirements, feasibility and efficiency of competing treatment methods and economic impacts. MCLs are now being developed for the following compounds: trichloroethylene, carbon tetrachloride, tetrachloroethylene, 1,2-dichloroethane, 1,1,1-trichloroethane, and vinyl chloride.

Summary of Benefits

Sectors Affected: The sectors affected include the American public in general, municipally and privately owned public water supply systems and all segments of the water supply industry, including consulting sanitary engineers, analytical chemists, plant operators, equipment manufacturers and supplies.

These MCLs will have their greatest impact on small water supply systems which currently employ little or no treatment. The public served by such systems will, in particular, realize the benefits of this proposal.

Value of Benefits: It is impossible at this time to assign direct monetary values to the benefits to be realized under this proposal. Such benefits include a lessening of public exposure to toxic substances in drinking water and a consequent safeguarding of public health.

Summary of Costs

Sectors Affected: The sectors affected include the American public in general, state and local governments in particular, public water supply systems (both privately and publicly owned).

The public in general will be the principal group affected by this proposal, since the users will undoubtedly bear the costs of any necessary modifications to their water supply systems. This will particularly be true for users of small water supply systems which currently employ little or no treatment.

Value of Costs: No estimates of the economic impact are available at this time.

Related Regulations and Actions

Internal: All EPA regulations that affect control of chemical contaminants of water are indirectly related, including: Effluent Guidelines, National Pollution Discharge Elimination System, Water Quality Criteria and Hazardous Waste Disposal Controls.

External: State programs would be expected to deal with decisions on variances and exemptions from the regulations and to provide technical assistance to public water systems making changes in their treatment processes.

Active Government Collaboration

Supporting documentation for the health basis of any proposed regulation requires information-sharing with the National Cancer Institute, National Institute of Environmental Health Sciences, Consumer Products Safety Commission and the Food and Drug Administration. In addition, the National Academy of Sciences and the National Drinking Water Advisory Council will be consulted during the MCL development.

Timetable

Proposed Rule—Late Summer 1980
Public hearing (to be announced)—Late Fall 1980
Final Rule—Summer 1981

Available Documents

"National Organics Reconnaissance Survey," EPA, Municipal Environmental Research Laboratory, 1975.

"National Organics Monitoring Survey," EPA, Office of Drinking Water.

"Interim Treatment Guide for Controlling Organic Contaminants in Drinking Water Using Granular Activated Carbon," EPA, Municipal Environmental Research Laboratory, January, 1978.

"Occurrence of Volatiles in Drinking Water," EPA, ODW, Criteria and Standards Division, March 1980.

Pesticide Registration Guidelines (40 CFR Part 163, Subparts A–P)

Legal Authority

Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA), 7 U.S.C. § 136a(c)(2)(A), 136f, 136w (1978).

Reason for Including This Entry

The Environmental Protection Agency (EPA) estimates that cost to registrants (principally chemical companies whose products are registered or who apply for registration of their products) will be approximately $1.4 billion over the next ten years to meet the Guidelines requirements.

Statement of Problem

With certain limited exceptions, EPA must, in accordance with FIFRA, register all pesticides before manufacturers and formulators can legally distribute and sell them in the United States. The purpose of requiring registration of a pesticide is to permit EPA to determine if: (A) its composition is such as to warrant the proposed claims for it; (B) its labeling and other material required to be submitted comply with the requirements of the Act; (C) it will perform its intended function without unreasonable adverse effects on the environment; and (D) when used in accordance with widespread and commonly recognized practice it will not generally cause unreasonable adverse effects on the environment.

FIFRA expressly requires the EPA Administrator to publish Guidelines to specify the kinds of information required to support a registration application. Our proposed Guidelines specify the health and safety data that registrants of different types of pesticide products must submit, and the testing methods to be used in developing these data.

Prospective registrants (primarily pesticide manufacturers and formulators) are responsible for both the testing and submittal of test results to the Agency in support of their registration applications.

In addition, FIFRA expressly requires that currently-registered pesticides be reregistered expeditiously. In many cases, the registrants of these pesticides will now have to submit health and safety data that meets FIFRA requirements, either because they had not previously submitted the data or because they had submitted inadequate data.

Without these Guidelines, the following problems would inevitably result: registration applications would often be incomplete or inadequate, applicants would spend unnecessary time and money because requirements were not delineated or clarified, and EPA would not be able to perform registration reviews efficiently. These are the problems that existed before the proposed Guidelines were first published.

Alternatives Under Consideration

Section 3(c)(2)(A) of FIFRA requires that "The Administrator shall publish guidelines specifying the kinds of information which will be required to support the registration of a pesticide and shall revise such guidelines from time to time." Therefore, we are not considering alternatives to publication of the Guidelines. The Agency is analyzing public comments on the portions already proposed (see "Available Documents") and is considering these comments to improve the nature and clarity of the proposed data and testing requirements.

Summary of Benefits

Sectors Affected: The Guidelines will affect pesticide chemical manufacturers and formulators, principally. The chemical/biological testing industry will also be affected. In addition, EPA, farmers, and the general public will be affected.

Benefits: The Guidelines will give prospective registrants the benefit of knowing precisely what kinds of data the Agency requires (though there are some provisions for waiving some requirements under some circumstances). Manufacturers and formulators therefore will be able to plan their research and development programs with greater certainty and thereby save money and time. The chemical/biological testing industry will also benefit from increased business due to some additional requirements and due to the standardized requirements that improve planning and efficiency. The Guidelines will benefit the Agency by improving the quality of data available for decisionmaking, and also by allowing for more efficient processing of applications. Farmers and the general public will benefit generally from having safer pesticides available.

Summary of Costs

Sectors Affected: The Guidelines will affect pesticide chemical manufacturers and formulators, principally. Farmers and the general public will also be affected.

Costs: EPA estimates that, to meet the Guidelines requirements over the next ten years, it will cost registrants approximately $336 million for the data call-in program, $273 million in remaining data for registration standards, $600 million for data to support new registrations, and about $150 million for data to be required by those subparts of the Guidelines yet to be proposed. (The annual costs would be slightly higher during the first five years than during the latter five years.)

The projected cost represents expenditures for conducting laboratory and field testing, and developing the reports of such tests. While registrants will initially bear the cost, we expect that the cost will be passed on to the pesticide users, with farmers as the major users. The per-farm cost was estimated in 1978 to be $45–50 per year, which included $15 due to costs of new requirements in the Guidelines.

We do not expect these Guidelines to have any significant effect on employment in the pesticide industry, or to have any other nationally-significant economic effects. We do expect producers of some pesticides of small economic significance to withdraw their products from the market rather than go to the cost of developing the required data. In this situation, consumers, including farmers, will ordinarily choose other available pesticides rather than have no pesticide for the pest control use.

Related Regulations and Actions

Internal: EPA also is developing testing standards for chemical substances and mixtures under the Toxic Substances Control Act (TSCA). As far as possible, EPA will make the pesticide testing method prescribed by the Guidelines consistent with the TSCA testing standards. The Good Laboratory Practice standards we are developing under TSCA and FIFRA, which prescribe uniform standards of performance for toxicological testing, will also be consistent.

External: Under the aegis of the Interagency Regulatory Liaison Group, five Federal agencies (EPA, the Food and Drug Administration, the Occupational Safety and Health Administration, the Consumer Product Safety Commission, and the Department of Agriculture) are jointly developing guidelines describing test methods and standards that will meet all five agencies' needs.

Active Government Collaboration

Agencies and other government groups that we have consulted or have provided assistance in Guidelines development include members of the Interagency Regulatory Liaison Group, the National Cancer Institute, the Department of the Interior, and the Department of Agriculture. The latter Department is required by FIFRA to comment on proposed and final regulatory documents.

Regulatory Analysis

An economic impact analysis on those portions of the Guidelines was published in 1978: "Economic Impact Analysis of Guidelines for Registering Pesticides in the U.S.", 43 FR 39644, September 6, 1978. This analysis covered the costs of those subparts (Subparts B. D. E. and F) that would elicit about 90% of the total costs of the Guidelines. With the publication of each subsequent subpart, we will make available brief analyses set in the context of the incremental and total costs of the Guidelines. Following or concurrent with the publication of most subparts as final rules we will publish an overall regulatory analysis for the entire Guidelines.

Available Documents

We have published the following portions of the Guidelines as NPRM:

Subpart B—Introduction, 43 FR 29606, July 10, 1978. (This subpart will become Subpart A when published final.)

Subpart C—Registration Procedures (interim final), 40 FR 41788, September 9, 1975.

Subpart D—Chemistry Requirements, 43 FR 29696, July 10, 1978. (This subpart will be divided into three subparts when published final: D—Product Chemistry, N—Environmental Fate, and O—Residue Chemistry.)

Subpart E—Hazard Evaluation: Wildlife and Aquatic Organisms, 43 FR 29696, July 10, 1978.

Subpart F—Hazard Evaluation: Humans and Domestic Animals, 43 FR 37336, August 22, 1978.

Subpart F—Hazard Evaluation: Humans and Domestic Animals, two additional general sections on good laboratory practices for toxicology testing, 45 FR 26373, April 18, 1980. (This proposal will be separated from Subpart F when developed into a final rule.)

Environmental Radiation Protection Standards for Management and Disposal of Spent Nuclear Fuel, High-Level and Transuranic Radioactive Wastes (40 CFR Part 191)

Legal Authority

Atomic Energy Act of 1954, as amended 42 USC § 2201(b)

Reasons for Including This Entry

The Environmental Protection Agency (EPA) thinks this rule is important because it is a critical step towards developing disposal methods for high-level and other long-lived radioactive wastes which are now unregulated and would pose serious health problems to current and future generations of people. In addition, we estimated that the cost for implementing these standards will exceed 100 million (1978 dollars).

Statement of Problem

It is important to ensure proper management and disposal of high-level radioactive wastes because they represent a significant health risk to the population of the United States. At present, 70 million gallons of high-level defense wastes are stored in various liquid and solid forms on three Federal reservations in the States of Idaho, South Carolina and Washington. Nuclear fuel rods, after having been used to generate electrical power, are removed from the reactor and are referred to as spent fuel. The current inventory of spent fuel is about 6,000 tons. The spent fuel is being temporarily stored in holding ponds at the sites of nuclear power plants. Over the next few years this spent fuel inventory is expected to grow at a rate of about 600 tons per year from reactors currently licensed to operate. EPA estimates that by issuing these standards, cancer deaths resulting from these wastes will be limited to less than 10 per 100 years over the first 10,000 years after the wastes are disposed.

Our program to develop these standards began in 1976 as part of an interagency effort to speed up development and demonstration of a high-level waste repository. The program was announced as part of President's Ford's Nuclear Waste Management Plan on October 27, 1976. President Carter established an Interagency Review Group (IRG) on Waste Management in March 1978 to review existing programs and recommend new policies where necessary. After holding several public hearings on its draft report, the IRG prepared a final report to the President in March 1979. This report recommended that EPA accelerate its programs to set standards for nuclear waste management and disposal activities. President Carter approved this recommendation as part of his Program on Radioactive Waste Management which he announced on February 12, 1980.

If EPA took no action this would further delay the Federal waste

management program and could have significant environmental consequences. Delay in developing disposal methods results in longer storage of existing wastes in surface facilities requiring human control. Such storage is not necessarily a danger under normal conditions. The wastes, however, are more vulnerable to accidental release in surface storage than they would be in disposal facilities. The chances for environmental damage are greater the longer the wastes are stored in existing sites. Furthermore, the lack of a solution to this problem has caused serious uncertainty about the future use of nuclear energy in the United States. This uncertainty makes both national and local energy policy more difficult and has many indirect adverse economic and environmental effects.

Alternatives Under Consideration

The disposal system for high-level radioactive waste has yet to be designed and demonstrated. As a result, we are evaluating two basic types of environmental protection standards.

Option A We could develop a standard establishing general principles to govern disposal methods without setting quantitative standards. These principles would specify broad design requirements for disposal systems such as: (1) designing multiple man-made barriers and using natural barriers to prevent release of the wastes, (2) disposing of the wastes so that future generations could recover and relocate them, if necessary, and (3) designing disposal systems to reduce potential releases to the lowest levels reasonably achievable. Such requirements would reduce some of the uncertainties of the disposal systems to be developed which must work for very long times. However, they would not place any clear limit on expected environmental effects.

Option B We could set numerical performance requirements for disposal systems without using general principles like those discussed in Option A. These environmental protection standards would then be compared against the predicted performance of a proposed disposal system to determine whether the system should be approved. Such an approach would allow complete flexibility in meeting the objectives, however, it would rely upon predictions over very long time periods and such predictions involve many uncertainties.

Option C Combine both types of standards discussed above. This will require long-term predictions of disposal system performance to determine if environmental protection objectives are met. The general principles will require conservative design approaches which will protect the environment as much as possible even if these long-term predictions are wrong.

We believe that Option C provides the most reliable protection of the general population and the environment.

Summary of Benefits

Sectors Affected: Present and future general populations; the National Energy Program.

The primary benefit of these standards is the protection of human health. Since the Federal Government has yet to design and demonstrate the disposal system, we are unable to accurately determine the health impact resulting from these standards. We estimate that the number of premature cancer deaths that would be caused by disposal in compliance with our standards would not exceed 1,000 over the first 10,000 years after disposal of the wastes. This is an average of one death every 10 years. Since our estimates are conservative, there is a good chance that actual disposal systems would result in fewer cancer deaths than we estimate. Since the President's program includes the standards, we did not estimate the number of premature deaths that would be avoided if the standards were not established.

Many sectors of society, especially environmental groups, State governments, and Members of Congress, have stated that nuclear power should not continue to be used while the problem of high-level radioactive waste disposal remains unsolved. Nuclear power now provides approximately 13% of the Nation's power supply. While EPA is neither for nor against nuclear power, we believe that these standards are the first step towards solving the problem of disposing of high-level radioactive wastes, so that the nation can decide whether or not nuclear power will continue to be part of our energy system.

Summary of Costs

Sectors Affected: Consumers of electricity, Federal military programs.

The high-level radioactive waste disposal program will be initially financed by the Federal Government. According to the provisions of President Carter's spent fuel policy, utilities will pay a one-time full cash recovery charge to the Federal Government for the transfer of spent fuel. Military produced wastes are to be managed and disposed of by the Federal Government. We calculated the cost impact of these standards by estimating the cost of the additional steps the Federal Government would have to take to be in compliance. Based largely on data and analyses performed by the Department of Energy (DOE), we estimate that in the year 1990 (the year we assume the waste program will be established) these standards will result in an incremental annual cost of commercial wate management of no more than $600 million (1978 dollars). This cost impact amounts to less than a one percent increase in national average electricity rates.

We also estimated that the standards would cause an increase of less than $1.7 billion (1978 dollars) over the total cost of the reference defense waste management program, which is estimated to cost about 3.7 billion (1978 dollars).

Related Regulations and Actions

Internal: The part of these standards that covers normal waste management operations is coordinated with our Environmental Radiation Protection Standards for Nuclear Power Operations (40 CFR Part 190) to provide consistent exposure standards for all uranium fuel cycle operations.

External: The Nuclear Regulatory Commission (NRC) is responsible for implementing these standards. To accomplish this, NRC is currently developing regulations for Disposal of High-Level Radioactive Wastes in Geologic Repositories (10 CFR Part 60); see their entry in this calendar.

Active Government Collaboration

We established an interagency working group to help us develop these standards. The agencies represented are the Nuclear Regulatory Commission, the Department of Energy, and the United States Geological Survey.

Available Documents

ANPRM—41 FR 235, December 6, 1976.

Remedial Action Standards for Inactive Uranium Processing Sites, 40 CFR Part 192* (45 FR 27370, April 22, 1980)

Legal Authority

Uranium Mill Tailings Radiation Control Act of 1978, 206, 42 USC, 2022.

Reasons for Including This Entry

The Environmental Protection Agency (EPA) thinks these standards are important because the Federal and State governments cannot undertake the remedial actions Congress authorized until we have promulgated standards for them. People, primarily of the Rocky Mountain States and Pennsylvania, who live or work near tailings areas are very interested in all aspects of the remedial action program.

Statement of Problem

The soils and rocks which make up the earth's crust contain radioactive uranium and thorium isotopes (radionuclides). Almost all human activities which involve removing and processing materials from the earth's crust can result in the release of some of these radioactive materials into the atmosphere. These releases can become potentially hazardous when:

1. The activity involves handling materials that contain concentrations of these radionuclides significantly above the average concentrations in soil,
2. These radionuclides are concentrated during processing to a level significantly above the average concentrations in soil, or
3. The radioactive material is redistributed from its place in nature into a pathway where humans can be exposed to it.

Uranium mining operations involve removing large quantities of ore containing uranium and its radioactive decay products in concentrations up to 1,000 times greater than are normally found in the natural terrestrial environment. After mining, the ores are shipped to uranium mills for separation of the uranium from the other materials in the ore. After the mill crushes and grinds the ore, the uranium is dissolved, precipitated, dried, and packaged as "yellow cake" ($U30_8$). The residues of the process, normally in the form of a wet sand, are discharged to a disposal area where the liquids are evaporated or partially recycled.

The tailings disposal area consists of a pond and a dry beach area. The size of each component depends on the amount of water that is recycled, the rate of evaporation, and the amount of raw ore being milled. In areas of high evaporation, large dry beach areas are exposed. Radioactive emissions from these areas result from wind erosion of the tailings and diffusion of radioactive radon gas out of the tailings. In addition, radioisotopes and other toxic substances may seep into ground water. The release of radon gas from piles of uranium mill tailings exposes people in the immediate vicinity of the tailings site to radioactivity and, to a lesser extent, exposes more distant populations. Windblown radioactive particulates from tailings sites and direct gamma radiation constitute secondary sources of radiation exposure. If the tailings are uncontrolled, EPA estimates that approximately 200 premature deaths per century could occur in the national population from radiation-induced lung cancer resulting from emissions from these sources. These effects would be divided approximately equally between people who live within five miles of the inactive tailings piles and those in the rest of the country. Health effects from potential contamination of ground water resources are not included in this estimate. The radioactive components in the tailings will remain hazardous for hundreds of thousands of years.

In addition to the hazards posed by tailings piles are those of tailings which have been removed from the piles. In source areas, tailings have been used in construction, often as fill under buildings. Radioactive gas from the tailings may then enter the buildings and raise indoor radioactivity well above normal levels. Congress recognized that unless it acted, tailings from inactive processing sites might pose a continuing health hazard. Therefore, with the Uranium Mill Tailings Radiation Control Act of 1978 (UMTRCA), Congress authorized a joint Federal and State program to perform remedial actions for inactive uranium processing sites according to standards EPA would set. Under the terms of UMTRCA, the Department of Energy (DOE) has designated 25 eligible inactive processing sites. Tailings piles at these sites contain more than 26 million tons of residual radioactive materials on more than 1030 acres of land. In addition, DOE is working to designate additional lands and buildings which are affected by tailings from these sites. However, UMTRCA also provides that no remedial actions may be undertaken until EPA has promulgated standards.

Alternatives Under Consideration

EPA's standards for uranium mill tailings will be standards of general application. They are standards which define environmental radiation conditions which must not be exceeded, but they do not specify the means of remedying existing excesses. UMTRCA requires DOE to conduct the remedial action program. We are developing the standards based on currently available knowledge of the potential harmful effects of uranium mill tailings and the technology and costs of avoiding them. With regard to the form and content of the standards, we are considering the following alternatives:

1. Disposal Standards

EPA is considering an entire range of options from no control to virtually complete control of releases of radioactivity and of non-radioactive toxic substances from tailings. We find that means of providing long-term control of radon releases are available. We are examining the health benefits and costs of controlling these releases to alternative levels which are (a) significantly above the radon release rates characteristic of undisturbed land areas, (b) within the normal range of release from undisturbed lands, or (c) significantly below average rates from such lands.

We currently favor alternative (b) because it avoids nearly all the harmful effects of radon releases and appears to be technically and economically feasible to achieve. Alternative (c) is neither needed nor is it clear that it is reasonably achievable.

We are also considering whether we should prohibit releases of radioactive and non-radioactive toxic substances from tailings to water or should limit releases to levels which preserve water quality for potential uses, including drinking and agriculture. Although information is very limited, we currently believe that a standard prohibiting any release may be very difficult to implement, and is not clearly needed. We prefer standards for uranium mill tailings disposal which prohibit degrading the existing quality of underground and surface water bodies.

The health protection the disposal system ultimately affords depends on the control levels and the time over which they are maintained. We are examining the technical and economic reasonability of requiring effective control for a) several hundred years, b) hundreds to thousands of years, and c) longer than tens of thousands of years. We currently believe it reasonable to apply the disposal standards for at least 1000 years. Applying them for very much longer periods would be impractical for general application.

2. Cleanup Standards for Contaminated Open Land

We are considering alternative standards for cleanup of contaminated open land as follows:

a. Standards which would reduce residual radiation levels to local natural background levels.

b. Standards which would limit the residual radioactivity to levels which may be above local background, but are still within a common natural range of values.

c. Standards which limit residual radiation to levels significantly above normal background.

Alternative a) would be unreasonable because the measurements required to distinguish small elevations above background radioactivity would be unproductively expensive. We believe alternative b) is technically and economically reasonable, and the residual risk will be very small in

practice. Therefore, we feel alternative c) is not warranted.

3. Cleanup Standards for Buildings

Tailings have sometimes been used as construction materials for buildings. This can cause elevated indoor radioactivity and increased risk of lung cancer for occupants who breathe radioactive particles in the air. In developing remedial action standards for this condition, we are considering earlier recommendations by the U.S. Surgeon General for a similar situation at Grand Junction, Colorado, and guidance provided by EPA to the State of Florida regarding indoor radioactivity. We are also considering alternative standards which take account of this earlier guidance, and which reflect current assessments of the health effects of the indoor radioactivity. The standards will take the form of "action levels," i.e., specifications which, if exceeded, will require remedial action.

We could set action levels in terms of the total indoor radioactivity concentrations, or as an increment above average natural background levels. We prefer to express the indoor radon decay product action level in terms of total radon decay concentration, because background levels cannot be determined separately in practice. Indoor gama radiation levels are much more easily determined, however, so we prefer to express the gamma radiation standard as an increment above background. In all cases, the standards will apply to radiation which may reasonably be attributed to tailings, not to other causes.

Summary of Benefits

Sectors Affected: Inactive uranium mill tailings sites designated by DOE for remedial actions under UMTRCA are located in Arizona, Colorado, Idaho, New Mexico, North Dakota, Oregon, Texas, Pennsylvania, Utah, and Wyoming; people in these States, including members of Indian Tribes, and to a lesser extent the entire national population.

The disposal standards will avoid virtually all detrimental effects of uranium mill tailings for as long as the standards apply. Based on current population distributions, we estimate about 200 lung cancer deaths per century due to radon emissions from tailings piles will be avoided. The number may be larger if populations increase, or if population centers develop near piles which are now remote from people. Furthermore, surface and ground water will be protected from degradation by the tailings. Individuals who live or work in contaminated buildings will benefit from application of the cleanup standards. Finally, applying the cleanup standards for open land will result in conditions which do not require further control. This could make several thousand acres of land available for use, and avoid a potential future administrative burden.

Local economies could benefit from decreased unemployment and increased business activity associated with performing the remedial actions to comply with the standards. The remedial actions would also virtually eliminate the inequitable distribution of risk associated with the tailings, which is now greater for people who live or work near the piles or in contaminated buildings than for the general population. After disposal, the radiation risk for such people will be within the normal range of natural background values.

Summary of Costs

Sectors Affected: Federal Government, affected States.

The Federal Government will bear 90 percent of the costs of the remedial action program and the affected States will bear 10 percent. The Federal Government will bear all the costs of remedial actions on Indian lands.

The costs of meeting the disposal standards of all the tailings piles eligible under UMTRCA are difficult to estimate, primarily because methods should be chosen on a site-specific basis. We estimate the average one-time cost of meeting the standards we currently propose to be about $1–6 million (1978 dollars) per site if the existing site is suitable, and $6–13 million (1978 dollars) per site otherwise. Disposal costs for all sites would therefore be about $21–273 million. More restrictive standards which would limit radon releases from tailings to well below release rates from normal soils could require much costlier methods of disposal.

A DOE contractor (Ford Bacon and Davis, Utah Inc.), using interim cleanup criteria, previously estimated that cleanup costs for open lands and buildings would be about $10 million (1978 dollars). Even allowing for increased costs under the cleanup standards we now prefer, which are very difficult to estimate, tailings disposal is still by far the largest cost component of the remedial action program.

During the performance of the remedial actions, localities will be subjected to increased traffic, dust, and other side-effects of earth-moving and construction operations. Disposal operations may require large quantities of clay and soil for covering the tailings. Contaminated open land will be subjected to scraping and digging by the cleanup operations. The environmental effects of these land disturbances will vary with the site.

Related Regulations and Actions

Internal:

1. Radiation protection guidance for remedial actions on residences on Florida phosphate lands.
2. Draft proposed standard for high-level radioactive waste (in development).
3. Proposed standards for treatment, storage, and disposal of hazardous wastes under the Resource Conservation and Recovery Act.
4. Draft Clean Air Act Standards for radioactive materials (in development).
5. Proposed Environmental Protection Criteria for Radioactive Wastes, and applicable Federal Radiation Protection Guidance.
6. Clean Water Act regulations.
7. National Interim Primary Drinking Water standards.
8. EPA Air Carcinogen Policy.
9. Resource Conservation and Recovery Act.

External: Under UMTRCA, the responsibility for selecting and performing remedial actions which satisfy EPA's standards is given to the Department of Energy. Any States which share the cost must fully participate, and the Nuclear Regulatory Commission must concur. Any affected Indian tribe and the Department of Interior must be consulted when Indian lands are involved. In addition, the Department of Justice has responsibilities related to determining the responsibility, if any, of any private parties for remedial actions.

Active Government Collaboration

The President's Energy Coordinating Committee has formed a subcommittee to oversee Federal implementation of UMTRCA. The subcommittee is chaired by the Administrator of the Environmental Protection Agency. Other participating agencies are the Department of Energy, the Nuclear Regulatory Commission, the Departments of Justice, and Interior. These agencies, which all have responsibilities under UMTRCA, have formed a staff level working group which plans necessary interagency coordination and reviews draft documents as appropriate.

Regulatory Analysis—EPA will not develop an analysis, because we expect the cost of implementing the standard in any calendar year will be less than the $100 million criterion EPA has

established for requiring an economic analysis.

Public Hearing—EPA plans to conduct public hearings on the NPRMs, but has not established a date or location for the hearings at this time. We will announce the dates and locations in the **Federal Register.**

Public Comment Period—The public will have at least a 60-day comment period before the Agency issues the final rules.

Available Documents

From the Congress—House Document Room, H–226 Capitol, Washington, D.C. 20515. Public Law 95–604 Uranium Mill Tailings Radiation Control Act (UMTRCA); House Report No. 95–2480, Pt. I, Committee on Interior and Insular Affairs; House Report No. 95–1480, Pt. II, Committee on Interstate and Foreign Commerce.

FROM DOE—Technical Library, Bendix Field Engineering Corp., P.O. Box 1569, Grand Junction, Colorado 81502—"Phase II, Title I, Engineering Assessment of Inactive Uranium Mill Tailings Sites" by Ford, Bacon and Davis, Utah Inc., (Micro fiche copy only, nominal charge per report).

From EPA/ORP–OANR–460—401 M Street, S.W., Washington, D.C. 20460; **Federal Register** notice, 44 FR 33433, June 11, 1979, "EPA Development of Standards for Uranium Mill Tailings and Uranium Report on Mining Wastes—Call for Information and Data."

From EPA/ORP–OANR–460—401 M Street, S.W., Washington, D.C. 20460; **Federal Register** notice, 44 FR 38664–38670, July 2, 1979, "EPA Indoor Radiation Exposure Due to Radium–226 in Florida Phosphate Lands—Radiation Protection Recommendations and Request for Comment."

From EPA/ORP–OANR–460—401 M Street, S.W., Washington, D.C. 20460; **Federal Register** notice, 45 FR 2736b–27368, April 22, 1980, "Interim Cleanup Standards for Inactive Uranium Processing Sites."

From EPA/ORP–OANR–460—401 M Street, S.W., Washington, D.C. 20460; **Federal Register** notice, 45 FR 27370–27375, April 22, 1980, "Proposed Cleanup Standards for Inactive Uranium Processing Sites."

Additional documents, when they become available, will be placed in Docket No. A–79–25 which is located in the EPA, Central Docket Section, Room 2903B, 401 M Street, S.W., Washington, D.C. 20460.

Hazardous Waste Regulations: Core regulations to control hazardous solid waste from generation to final disposal. (40 CFR Parts 260, 261, 262, 264, 265, 266)

Legal Authority

Resource Conservation and Recovery Act of 1976 (RCRA), as amended, § 3001, § 3002 and § 3004, 42 U.S.C. § 6921, § 6922 and § 6924.

Reason for Including This Entry

These regulations are important because they will initiate, for the first time on a national level, management of hazardous solid waste from generation to final disposal.

Statement of Problem

The Environmental Protection Agency estimates that more than 54 million metric tons of hazardous waste is generated annually in the United States. Hazardous waste includes toxic chemicals, pesticides, acids, caustics, flammables and explosives. Of this hazardous waste, EPA estimates that 90 percent is managed by practices that will not meet the proposed new Federal standards. A variety of health and environmental damages result from improper management practices. The most frequent are direct contact with toxic waste, fire and explosions, groundwater contamination by leachate, surface water contamination through runoff or overflow, air pollution by open burning, evaporation and wind erosion, and poisioning through the food chain. The amount of hazardous waste will increase by 30 percent in the next decade, primarily because other environmental laws have curtailed emissions into the air, waterways and oceans.

EPA has information on more than 400 cases of damage to human health or the environment due to improper hazardous waste management. One such case, Love Canal in Niagara Falls, New York, resulted in the evacuation of 239 local families at relocation costs of approximately $10 million, projected clean-up costs of over $30 million, and health problems, including possible increases in birth defects, miscarriages, and hepatic and respiratory disorders. With as many as 30,000 hazardous waste disposal sites posing potential public health and environmental threats, hundreds of millions of dollars in damages and remedial costs could result if the problem is left unattended.

Alternatives Under Consideration

A number of alternatives were studied prior to proposed rulemaking and, as a result of public comment and new information, during development of the final regulations. We are considering a number of significant changes to the regulations that may require reproposal, partial promulgation or promulgation of interim final rules for § 3001 and § 3004. EPA will discuss, in detail, in the preamble to the final rules, the alternatives considered and the reasons for their selection or rejection.

The proposed regulations provide two mechanisms for determining if a waste is hazardous: (1) a set of characteristics and (2) a list of specific wastes. The proposed regulations include four (ignitable, corrosive, reactive, and toxic) of eight characteristics orginally considered. Because test methods are not fully developed or validated for the other four characteristics (radioactive, infectious, phytotoxic, and teratogenic and mutagenic), these characteristics were excluded.

The proposed regulations exclude hazardous waste generated by households, farmers, retail establishments and persons who generate less than 100 kilograms per month. This exclusion is based on the assumption that small amounts of hazardous waste will be disposed of in land disposal facilities approved under Subtitle D of the Resource Conservation and Recovery Act and, therefore, will not pose a hazard to human health or the environment. Increasing or decreasing the size of the small generator exemption is receiving consideration prior to promulgation of the regulations.

In addition to defining more or less waste as hazardous and determining the appropriate level for a small generator exemption from regulation, the overall scope of the regulations is affected by defining more or fewer wastes as special wastes. The special waste category, as proposed, defers most treatment, storage and disposal standards for certain wastes of high volume but low hazard, such as those produced by utilities, mining, oil and gas drilling and cement kiln operations.

Eliminating the special waste category is a regulatory choice. In addition, candidate special wastes may be altered as the result of proposed congressional amendments to the pending RCRA reauthorization bills. These amendments will address special wastes (either by deferral or exemption), such as utility wastes; solid waste from the extraction beneficiation and processing of ores and minerals, including phosphate rock and uranium ore; and cement kiln dust waste.

Time-phasing the implementation of the regulations could help reduce the potential burden on environmentally acceptable disposal sites. Disposal

capacity is currently limited and generators may be unable to find adequate disposal facilities. Public opposition to siting may delay the development of additional landfill capacity. The phasing approach could help assure that the most serious environment problems are addressed first if a degree of hazard approach is used. All alternatives under consideration are designed to make efficient use of limited disposal capacity.

Delineating degrees of hazard is difficult, and was not reflected in the proposed waste classification regulations. A risk-oriented hazard system for regulations affecting treatment, storage and disposal facilities could tailor design and operating standards to correspond to the character and hazard of the wastes. However, the risk of a particular waste in a particular location depends as much on the management situation as on the inherent hazard of the waste. Myriad combinations of wastes, site-specific designs, and operating conditions make regulations based on this approach extremely difficult and presumptive. The regulations, as proposed, reflect the similar management needs of most hazardous wastes. They establish standards for each of the several methods of disposing, treating and storing hazardous waste (landfilling, application to the land, treatment in surface impoundments such as holding or aeration ponds, and incineration), that do not vary according to the waste.

The proposed treatment, storage and disposal standards are applicable to all facilities that handle hazardous wastes. Phased facility permitting and notes and variances included in the proposed regulations offer alternatives for accommodating possible difficulties associated with retrofitting existing facilities.

A House amendment to the RCRA reauthorization bill proposes to exempt existing waste water treatment facilities from regulatory control if certain environmental safeguards are demonstrated. Both bills propose mechanisms for the Administrator to require separate standards for new and existing facilities which would ease the regulations' burden on existing facilities.

Another choice is to design alternative standards for the three categories of facilities, to enhance implementation by those in existence or close to start-up of operations and to ease the technical and economic impact of the regulations on these two categories.

EPA is making potentially significant changes to the RCRA 3004 technical standards. Short of the full set of technical, financial and administrative requirements contained in the proposed regulations for treaters, storers and disposers of hazardous waste, EPA will, at a minimum, finalize the interim status standards under Section 3004. Owners and operators of treatment, storage and disposal facilities will have to begin properly storing wastes and meeting interim status standards, including administrative standards for security, recordkeeping, reporting, visual inspection, training of personnel, contingency plans, closure and financial responsibility.

The proposed technical standards for hazardous waste facilities are based primarily on design and operating standards intended to achieve complete containment or destruction of the waste. These are backed up by ambient air, water and groundwater performance requirements in the event the specified designs do not achieve expected levels of health and environmental protection. The approach being developed for the final regulation is a system based on application of "Best Engineering Judgment" for permitting individual treatment, storage and disposal facilities. With this approach, as an alternative to design and operating standards, judgment factors, a decision model, and/or design and operating guidance will be provided to facilitate application of Best Engineering Judgment to each permit case.

Summary of Benefits

By issuing these regulations, the EPA is creating a framework for the control of hazardous wastes which would otherwise contaminate groundwater, surface waters, and soils, poison humans and animals, and cause air pollution, fires, and explosions. These regulations will require proper hazardous waste management that will reduce the incidence of damage to human health and the environment and save hundreds of millions of dollars in the costs associated with clean-up, emergency response, and health and environmental damages.

Comprehensive regulatory controls over the generation, movement, storage, and treatment of hazardous wastes may also help reduce opposition to the siting of hazardous waste management facilities. Overcoming the barrier of local opposition will allow siting of management facilities at environmentally secure sites and further reduce the possibility of damages to health and the environment.

The three proposed hazardous waste regulations are part of a series of seven required by Subtitle C of the Resource Conservation and Recovery Act of 1976 (RCRA) to initiate a national hazardous waste management program.

RCRA required that EPA promulgate the hazardous waste regulations within 18 months of enactment of the law (by April, 1978). EPA did not meet this deadline because of the enormous complexity of the task. Despite suit against EPA by environmental organizations and the State of Illinois for EPA's failure to promulgate the regulations by the dates specified in RCRA, the number of public comments received, the amount of supporting data and documentation needed, and the complexity of the technical and policy issues delayed EPA's promulgation of the regulations. The U.S. District Court approved EPA's proposed schedule for development of the Subtitle C regulations before the fall of 1980.

Summary of Costs

Although these regulations affect most industries throughout the country, the manufacturing industries most affected by the proposed regulations are textile mill products, inorganic chemicals, plastics, pharmaceuticals, paints, organic chemicals, explosives, pesticides, petroleum refining and rerefining, rubber products, leather tanning and finishing, metal smelting and refinishing, electroplating and metal finishing, special machinery manufacturing, electronic components, and batteries. Eight sectors are likely to experience some plant closures and job losses. These sectors include electroplating, wool fabric dyeing and finishing, mercury cell chlorine, leather finishing, mercury smelting and refining, and secondary copper, secondary lead and secondary aluminum smelting.

The estimated annual costs attributed to the RCRA Section 3001, 3002, and 3004 proposed regulations are $3 million, $16 million, and $570 million, respectively. The costs of these three regulations will comprise the majority of the costs for the set of seven RCRA hazardous waste regulations. The total annual incremental cost of compliance with the proposed hazardous waste regulations is estimated at $630 million (in 1977 dollars). Of the $630 million, $120 million is associated with postclosure liability requirements $260 million is attributable to building and operating waste management facilities, and $14 million is associated with recordkeeping and reporting. Monitoring and testing, administration, training, and contingency planning account for the remaining $236 million. The total cost represents approximately ½ of one percent of the annual value of the affected industries' production.

The regulations will also affect the public and private hazardous waste management industry. In all, some 380,000 generators, transporters, treaters, storers and disposers of hazardous wastes will be brought into the regulatory program. The affected industrial segments will probably pass on the increased costs to the public, resulting in a nominal increase in prices of selected consumer items.

Industries which presently dispose of hazardous waste at their own facilities may begin to ship their waste to off-site facilities rather than incur the costs of upgrading their disposal facilities to comply with the regulations. This is likely to cause a short run shortage of disposal capacity, which will increase demand for new sites. This capacity shortage and rigorous standards for facilities may result in a nominal increase in the cost of disposal.

The governmental costs associated with the implementation and maintenance of the hazardous waste management program are estimated at $20 to $35 million per annum. We currently estimate that 35–41 states and territories will assume the program while EPA operates a Federal program in the remaining 15–19.

Because the states of Texas, Ohio, Pennsylvania, Louisiana, Michigan, Indiana, Illinois, Tennessee, West Virginia, and California generate 65 percent of all hazardous waste produced nationally, these states will probably be affected to a greater degree than others.

Related Regulations and Actions

Internal: Proposed hazardous waste rules linked with the three described in this calendar in creating the RCRA Subtitle C regulatory framework are:

(1) Proposed Consolidated Permit Regulations, 44 **Federal Register** 34244–34344 and Draft Consolidated Permit Application Form, 44 **Federal Register** 34346–34392, June 14, 1979 (proposed rule and draft application forms, respectively)

(2) Hazardous Waste Guidelines and Regulations, 44 **Federal Register** 49402–49404, August 22, 1979 (supplemental proposed rule)

(3) Authorization of State Hazardous Waste Programs; Advance Notice of Final Regulation, 45 **Federal Register** 6752–6756, January 29, 1980.

(4) Notification of Hazardous Waste Activity; Public Notice, 45 **Federal Register** 12746–12754, February 26, 1980.

Rules regarding disposal of polychlorinated biphenyls (PCBs) were issued under the Toxic Substances Control Act, § 6(e), (15 U.S.C. § 2605). The Federal Insecticide, Fungicide and Rodenticide Act (7 U.S.C. § 135 et seq.) regulates the disposal of pesticides and pesticide containers. The Marine Protection, Research and Sanctuaries Act (33 U.S.C. 1401 et seq.) controls incineration or dumping of hazardous waste at sea.

External: The Department of Transportation has developed hazardous materials transportation regulations (49 Code of Federal Regulations Parts 171–173, 178–179) controlling containerization and labeling of waste by generators using transporters engaged in interstate or foreign commerce. EPA's final rule, Standards Applicable to Transporters of Hazardous Waste, was published, 45 **Federal Register** 12737–12744, February 26, 1980.

This incorporated DOT's rules on labeling, marking, packaging, placarding and discharge reporting. DOT, in its final rule, will incorporate EPA's manifest requirements and expand its list of hazardous materials to include hazardous wastes which require a manifest.

Active Government Collaboration

Department of Defense, Occupational Safety and Health Administration, Department of Energy, Food and Drug Administration, Soil Conservation Service, Water Resources Council, the Center for Disease Control of the Department of Health, Education and Welfare, Department of Transportation and Interstate Commerce Commission cooperated with EPA during development of the proposed regulations.

Final rules effective—Regulations affecting hazardous waste generators become effective on August 26, 1980. Regulations for identification and listing of hazardous waste will be effective upon promulgation. Regulations affecting owners or operators of hazardous treatment, storage or disposal facilities will be effective six months after promulgation.

Available Documents

NPRM, 43 **Federal Register** 58946–59208, December 18, 1978.

Supplemental Proposed Rule, 44 **Federal Register** 49402–49404, August 22, 1979.

Final Rule, Hazardous Waste Management: Overview and Definitions; Standards Applicable to Generators of Hazardous Waste (RCRA § 3002): 45 **Federal Register** 12722–12744, February 26, 1980.

The EPA Office of Solid Waste Docket (Room 2711A, EPA, 401 M Street, S.W., Washington, D.C.) maintains the following documents for public review:

Draft background documents
Draft Resource Requirements Summary
Draft Regulatory Analysis
Public comments
Summaries of ex parte contacts
Public hearing transcripts
Studies and reports on hazardous wastes and hazardous waste management

Copies of the following documents are also available from Mr. Edward Cox, Solid Waste Information Office, 26 West St. Clair, Cincinnati, Ohio 45260:

Draft Environmental Impact Analysis
Draft Integrated Impact Assessment of Hazardous Waste Management Regulations
Studies and reports on hazardous wastes and hazardous waste management

Test Rule for Chemical Substances and Mixtures—Chloromethane and Chlorinated Benzenes (40 CFR Part 771)

Legal Authority

Toxic Substances Control Act, §§ 4 and 26 [15 U.S.C. §§ 2603 and 2625].

Reasons for Including This Entry

The Environmental Protection Agency (EPA) thinks this rule is important because we need data to assess the risk of injury to human health caused by exposure to the chemicals chloromethane and chlorinated benzenes. This rule is also significant because it is the first rule the Agency has proposed under § 4 of the Toxic Substances Control Act (TSCA) which will require manufacturers and processors of chemical substances to perform testing to assess the health effects of toxic substances.

Statement of Problem

Section 4 of TSCA gives the Environmental Protection Agency the authority to require that manufacturers and/or processors of chemicals test these chemicals for possible adverse effects on human health or the environment. To implement § 4, we are in the process of developing, proposing, and promulgating test standards and test rules. A test standard is a description of the scientific methodology and analysis to be used in testing for an effect. A test rule is a regulation requiring manufacturers and processors of specific chemicals to test these substances for certain effects according to appropriate test standards. The Agency establishes a reasonable timetable in which industry must complete the development of the test data.

Section 4(e) of TSCA established an Interagency Testing Committee (ITC) to make recommendations to the EPA Administrator, in the form of a list, regarding chemical substances that should receive priority consideration in

the Agency's development of test rules. For the most part, chemicals to be included in test rules come from the semiannual recommendations made by the ITC. The committee s eight members represent the Council on Environmental Quality, the Department of Commerce, the Environmental Protection Agency, the National Science Foundation, the National Institute of Environmental Health Sciences, the National Institute of Occupational Safety and Health, the National Cancer Institute and the Occupational Safety and Health Administration.

The ITC, in its Initial Report (42 FR 55026, Oct. 12, 1977), recommended that chloromethane be tested for carcinogencity, mutagenicity, teratogenicity, and other chronic effects and emphasized its concern about chloromethane's effects on the central nervous system, liver, kidney, bone marrow, and the cardiovalcular system.

We have completed our analysis of data on the health effects of and levels of exposure to chloromethane. Approximately 300 to 500 million pounds of choromethane are manufactured annually in the United States. We believe that the level of human exposure to chloromethane during manufacturing and processing may pose unreasonable risk to human health. Our analysis of studies showing gene mutations in bacteria, chromosomal changes in plant cells, neurotoxicity, birth defects, embryo and fetal toxicity in test animals and other data indicate that exposure to chloromathane may cause cancer and structural birth defects in humans. Because of these findings and the estimated levels of human exposure, we are proposing requirements for industry to test for the health effects of chloromethane in our first test rule.

Monochlorobenzene and dichlorobenzene were also contained in the ITC's initial report. The ITC recommended the development of rules that would require industry to test these chlorinated benezenes for potential to cause cancer, gene mutation and chromosomal aberration, structural birth defects, other chronic environmental effects and also recommended requiring an epidemiological study. The ITC's third report (43 FR 50630, Oct. 30, 1978) added the higher chlorinated benzenes, (tri-, tetra-, and penta-), to the priority list and recommended testing requirements for the same effects.

Our investigation of the chlorinated benzenes indicates that the annual domestic production volume ranged form over one million pounds of pentachlorobenzene to 325 million pounds of monochlorobenzene. Exposure to the liquid chlorobenzenes is due to their use as a functional fluid in transformers, process solvents, solvents in formulated products, and systhetic intermediates, while exposure to the solid forms results from their use as synthetic intermediates and pesticides. Workers are exposed to chlorinated benzenes during manufacture, processing, and use, consumers are exposed to certain chlorobenzenes in their use, and the general population may be exposed from environmental concentrations resulting from manufacture, processing, use and disposal of the substances.

Our analysis shows that exposure to the chlorinated benzenes may present an unreasonable risk of cancer, structural birth defects, and reproductive and subchronic/chronic effects. These conclusions are based on (1) their chemical structural similarity to known carcinogens and teratogens; (2) the tumor promoting activities of chlorinated benzene metabolites; and (3) studies showing, among other things, mutagenic effects, birth defects, embryo- and fetotoxic responses, and reproductive effects in animals; and (4) reports of adverse effects on human livers and blood production. Because of these findings and the potential for human exposure, we are proposing health effects testing requirements for the chlorobenzenes in the first test rule.

Alternatives Under Consideration

The alternatives available to us are quite limited. Under TSCA, if EPA finds that (1) a chemical may present an unreasonable risk of injury to human health or the environment, or a chemical may enter the environment in substantial quantities or result in significant human exposure, and (2) there are insufficient data or experience to characterize its effects on health or the environment, and (3) testing is necessary to develop such data, we must require industry to conduct testing and there is no alternative to issuing a test rule. However, we will encourage industry to begin testing of a chemical before a test rule is proposed. If such testing is satisfactory, it could obviate the need for a test rule.

Another alternative is to conduct testing in governmental facilities or under contract to the government. We will take this approach where it would be inappropriate or infeasible to require testing by the chemical industry, but heavy reliance on this approach would be in direct conflict with TSCA, which states that the development of data on health and environmental effects "should be the responsibility of those who manufacture and those who process chemical substances and mixtures."

Summary of Benefits

Sectors Affected: Factory workers, consumers and the general public.

The data generated from the testing required by this rule would permit EPA to assess the risk to human health of manufacturing, processing, and use of chloromethane and the manufacturing, processing, use and disposal of the chlorinated benzenes. If the Agency finds this risk to be unreasonable, it may take action to reduce human exposure under one of its authorities or recommend regulation by another agency such as OSHA. The testing required by this rule could potentially benefit the workers who manufacture or process these chemicals, the consumers of these chemicals, and the general public.

Summary of Costs

Sectors Affected: Chlorinated Benzenes—Producers and processors of chlorinated benzenes which include some manufacturers and processors of industrial solvents, dyes, organic intermediates, pesticides and solvent-carrying chemicals. Chloromethane—Producers and processors of chloromethane which include manufacturers and processors of some silicone products, chlorinated hydrocarbons, butyl rubber products, herbicides and lubricants.

The costs of complying with these rules is estimated to be $0.8 million for manufacturers and processors of chloromethane and $2.4 million for the manufacturers and processors of the chlorinated benzenes.

Related Regulations and Actions

Internal: We proposed health effects test standards for various effects on May 9, 1979 (44 FR 27334) and July 26, 1979 (44 FR 44054) and standards for Good Laboratory Practices for Health Effects on May 9, 1979 (44 FR 27362).

We also published a proposed rule under TSCA § 8(d) that would require persons to submit all unpublished health and safety studies concerning all chemicals recommended for testing by the Interagency Testing Committee (44 FR 77470, December 31, 1979).

We are planning to publish a Proposed Statement of Exemption Policy and Procedure relating to the granting of exemptions from § 4 testing.

We are also planning to announce our tentative decision not to require health effects testing for acrylamide a compound suspected of entering surface water and ground water through its use as a chemical grout, a waste water

treatment chemical and other industrial applications. This conclusion is based on animal studies that demonstrate the consistent induction of nervous system disorders at very low exposure levels, and we believe that any further information gained through testing would not affect regulatory actions designed to reduce human exposure to acrylamide. Acrylamide was included in the ITC's second list of chemicals (43 FR 16684, April 19, 1978) to be considered by EPA for test rule development.

External: Under the aegis of the Interagency Regulatory Liaison Group, the EPA, the Food and Drug Administration, the Occupational Safety and Health Administration, and the Consumer Product Safety Commission are jointly developing guidelines describing test methods that will meet all four agencies' needs

Active Government Collaboration

Other Federal agencies that have been or will be consulted include the Food and Drug Administration, Consumer Product Safety Commission, Occupational Safety and Health Administration, National Cancer Institute, and National Institute of Environmental Health Sciences.

Available Documents

Proposed Health Effects Test Standards for Toxic Substances Control Act Test Rules: Proposed Good Laboratory Practice Standards for Health Effects, 44 FR 44054, July 26, 1979.

Proposed Health Effects Test Standards for Toxic Substances Control Act Test Rules, 44 FR 27334, May 9, 1979.

The Interagency Testing Committee established under TSCA has issued four reports making recommendations on chemicals to be covered by TSCA testing rules:

First Report: 42 FR 55026, October 12, 1977.
Second Report: 43 FR 16684, April 19, 1978. OTS Docket 040004
Third Report: 43 FR 50630, October 30, 1978. OTS Docket 040005
Fourth Report: 44 FR 31866, June 1, 1979. OTS Docket 410001
Fifth Report: 44 FR 70664, December 7, 1979. OTS Docket 410001

Premanufacture Notification Requirements and Review Procedures (40 CFR Part 720)

Legal Authority

Toxic Substances Control Act (TSCA), § 5, 15 U.S.C. § 2604

Reasons for Including this Entry

The Environmental Protection Agency thinks that this rule is important because the regulations may have a substantial economic impact on the chemical industry.

Statement of Problem

To prevent public health risks and environmental contamination before potentially toxic substances are widely used and dispersed, Congress included a section on premanufacture notification in the Toxic Substances Control Act (TSCA) of 1976. This section requires a manufacturer to notify the Environmental Protection Agency (EPA) of his intent to manufacture or import a new chemical substance, and to submit information concerning that substance which the Agency can use to assess the risks associated with its manufacture, processing, or distribution in commerce, use, or disposal. On the basis of this assessment and as evaluation of economic considerations and other relevant factors, EPA will make decisions concerning the reasonableness of any risk and will take appropriate action to obtain more information or data, regulate production or use, or require reporting by manufacturers, processors or distributors of chemicals once the substance is in commerce. If EPA does not regulate the substance during the premanufacture notification period, the manufacturer may begin production (subject to regulation under any other laws).

To implement the notification process, EPA proposed a set of premanufacture notification rules and forms for public comment on January 10, 1979. In response to comments received on its initial proposal, EPA revised and reproposed the forms and certain portions of the rules on October 16, 1979. The rules, when final, will clarify the statutory obligations of manufacturers and inporters of new chemical substances to provide information to EPA on the substances, and will also clarify the Agency's procedures for reviewing the information. The forms will provide a detailed specification of the information they must submit and the formats in which they should supply the information. The manufacturers are responsible for assembling the information. EPA must decide, generally within 90 days of receiving the information, whether the substance in question presents an unreasonable risk to human health or the environment, and if so, what action to take.

Alernatives Under Consideration

EPA must resolve several significant issues in this rulemaking. Among them are the scope and level of detail of information to be required; the identification of specific chemical substances for which industry must submit premanufacture notifications to EPA; policies regarding the confidentiality of information submitted the extent to which the submitter must contact prospective customers to obtain relevant data; supplemental reporting; and whether and how EPA determines that submissions meet its requirements. EPA is considering other approaches to resolving these and related issues based on the comments received from industry and public interest groups which suggested alternatives to the initial proposal. (See "Available Documents." NPRM for Proposed Rules and Other Issues—44 Federal Register 59764, October 16, 1979).

Summary of Benefits

Sectors Affected: General Public and the Environment

The premanufacture review process will benefit public health and the environment by preventing the production, use, or disposal of new chemicals which present unreasonable risks. By preventing potential hazards at an early state, EPA can minimize economic dislocation, especially that which would result if a chemical is in full production and use in withdrawn. Adverse employment effects and the obsolescence of plant equipment will be substantially reduced by early regulation. Preventing toxic chemicals from entering the environment also will decrease lost work days and hospitalization costs that result from worker exposure to toxic chemicals.

Summary of Costs

Sectors Affected: The chemical industry.

EPA is conducting an in-depth study of the premanufacture notification requirements in order to determine with a greater degree of confidence the nature of the costs and economic effects of this rulemaking. These effects will include those on research and development programs; industry sales, growth and profitability; and the structure of the chemical industry. EPA will use the results of this study in making final decisions on how to implement the premanufacture notification program. Preliminary results of this analysis estimated that the notice from proposed in January 10, 1979, would cost between $2,500 and $22,500 to complete for each notice submitted. Estimates for the October 16 reproposed, shortened form indicated that completion of the revised form would cost between $1,155 and $8,925. It has also been estimated that approximately four hundred notices would be submitted per year. Therefore, the total cost of providing the notice forms in a

typical year would be between $462,000 and $3,570,000. October 16 cost estimates also included costs of between 0–$6,400 for asserting and substantiating claims of confidential business information.

Related Regulation and Actions

None.

Active Government Collaboration

Other Federal agencies that have been involved in this rulemaking include the Consumer Product Safety Commission, the Occupational Safety and Health Administration, the Food and Drug Administration, the Department of Transportation, and the Bureau of the Census.

Available Documents

NPRM for Premanufacture Notification Requirements and Review Procedures—44 **Federal Register** 2242, January 10, 1979.

Discussion of Premanufacture Testing Policy and Technical Issues—44 **Federal Register** 16240, March 16, 1979.

Interim Policy Statement—44 **Federal Register** 28558, May 15, 1979. NPRM for Rules and Other Issues—44 **Federal Register** 59764, October 16, 1979. (Docket number OTS–050002).

These documents are available from the Agency Contact listed below.

Rules Restricting the Commercial and Industrial Use of Asbestos Fibers (40 CFR Part 763)

Legal Authority

Toxic Substances Control Act (TSCA), 15 U.S.C. §§ 2601, 2605

Reasons for Including This Entry

The Environmental Protection Agency (EPA) has included this action because of its potential economic impact on the asbestos industry. The economic cost of the rule will probably exceed $100 million. We may prohibit a large portion of the domestic production and importation into the United States of asbestos-containing products.

Statement of the Problem

Epidemological studies have established that exposure to asbestos fibers greatly increases a person's chance of contracting lung disease, particularly asbestosis and lung cancer. Since the turn of the century tens of thousands of Americans have suffered from asbestos-related diseases.

EPA is concerned that in spite of past governmental regulation of asbestos millions of Americans may be exposed to levels of asbestos which significantly increase the risk of contracting asbestos-related diseases. (Past regulations are cited below under Related Regulations and Actions.) Currently, more than two million workers are exposed to asbestos fibers (at levels higher than background) in their places of employment, In addition, the 159 million Americans who live in urban areas may be exposed to asbestos fiber levels which significantly increase the risk of contracting asbestos-related diseases. EPA is concerned that asbestos fiber emissions from the mining, millings, processing, or distribution of asbestos or from the use, misuse, or disposal of asbestos-containing products might cause significant pollution of urban air.

It is difficult to estimate the number of people who will contract asbestos-related diseases at current exposure levels. Data on mortality rates are available for workers who are exposed to asbestos fiber levels considerably higher than general population exposures. EPA will extrapolate to predict risks for the general population.

EPA is conducting this regulatory program because the agency is not convinced that existing regulations have adequately protected the public. These regulations have focused on limited aspects of the asbestos exposure problem, such as worker exposures and air emissions from manufacturing facilities and a few consumer products. Regulation under the Toxic Substances Control Act (TSCA) would eliminate unreasonable human health risks from all asbestos-related activities.

If EPA does not promulgate a rule in this area, a large number of people might die from asbestos-related diseases each year.

Alternatives Under Consideration

The extent of EPA action will depend on the seriousness of the problem and the extent to which other Federal agencies take additional actions to reduce risks. EPA is considering the following alternative actions: (1) prohibiting the manufacture and processing of asbestos for nonessential uses, (2) prohibiting the manufacture and processing of asbestos for specific uses, (3) restricting the quantity of fibers which may be mined or imported, allocating quotas to businesses, and allowing industry to decide which uses will be restricted, (4) requiring labeling of asbestos-containing products, (5) regulating under laws other than TSCA, and (6) not regulating.

EPA's choice of a regulatory program will depend on the seriousness of the risks and the identification of the major sources of exposure. EPA suspects that much of the asbestos to which the public is exposed comes from emissions caused by mining, milling, and processing asbestos fibers; emissions resulting from the use of asbestos-containing products may not be as significant. In that case, EPA would want to reduce mining, milling, and processing risks as much as is reasonable (option 1).

If mining, milling, and processing present unreasonable risks, it would not be necessary for EPA to investigate emissions from all individual products in order to regulate. Calculating exposures from these products would require a herculean effort and would greatly delay the Agency's ability to reduce risk. Further, regulating only selective uses would provide considerably less public health protection than a more inclusive rule. Therefore, EPA is unlikely to choose option 2. If EPA implements either option 1 or option 2, the Agency will need to grant exemptions for essential uses—those uses which produce major social benefits and for which substitutes do not exist.

Option 3 is a possible substitute for either of the first two options. Allocation of quotas could be a very difficult process and could result in some inequities within industry. Further, at this time it is not clear that the economic impact of such an approach would be any less than option 1. The major advantage of option 3 over option 1 is that the marketplace, rather than EPA, would decide which uses of asbestos should continue.

EPA is considering imposing a labeling requirement (option 4) either in addition to or in lieu of other requirements. A labeling rule would have considerably less economic impact than option 1, 2, or 3, and it would also provide less direct protection to public health.

Finally, EPA is considering either regulating under other Federal laws administered by EPA or not regulating in deference to other Federal agencies. Several comments on the ANPRM (44 FR 60056, October 17, 1979) indicated that industry does not consider TSCA to be an appropriate authority for regulating asbestos and that further Federal regulation, if needed, should be implemented under other laws, particularly the Occupational Safety and Health Act (OSH Act). EPA is not currently convinced that if the Occupational Safety and Health Administration (OSHA) lowers its workplace standard to 0.1 fiber per cubic centimeter; (as it has announced its intention to do), its action will sufficiently protect workers and the general public. EPA will consider the impact of any likely future OSHA action on its evaluation of human health risks

from exposure to asbestos. Nevertheless, in spite of action by OSHA, EPA may find that it is necessary to restrict production and importation of products containing asbestos.

Any action by the Consumer Product Safety Commission (CPSCC) would not affect production of industrial asbestos-containing products, and these production processes may cause significant fiber emissions.

A combination of EPA actions under the Clean Air Act, Clean Water Act, Safe Drinking Water Act, the Resource Conservation and Recovery Act, and other laws might significantly reduce asbestos-related risks. However, the EPA Administrator might find that it is in the public's interest to regulate under one law (TSCA) than several laws, particularly if the risk reduction achievable under one TSCA rule will be the same as or greater than the combined impact of several regulations under other laws.

Summary of Benefits

Sectors Affected: The public, asbestos workers, and industries which manufacture asbestos substitutes.

At this early stage of development of EPA's rule it is impossible to estimate benefits in quantitative terms. Regulation will decrease the incidence of asbestosis and lung cancer in the United States, thus decreasing the number of worker days lost due to worker sickness, increasing space available in hospitals, and decreasing costs due to illness and premature death.

EPA regulation of asbestos should increase demand for substitutes such as fiberglass, ceramic fibers, polyvinylchloride, and ductile iron pipe. Therefore, manufacturers and distributors of substitutes should benefit from regulation.

Summary of Costs

Sectors Affected: The asbestos industry, including asbestos mines, asbestos product producers and their suppliers, importers, and users of asbestos products.

Because EPA has not completed its analysis of economic effects, cost estimates are not available. Asbestos mines and asbestos processors will be forced to reduce production, and many processors will be forced out of the asbestos business. EPA plans to regulate in a manner which will allow asbestos processors time to convert to substitutes. Small businesses may seek aid from the Small Business Administration in order to obtain capital to convert. It is too early to predict the effect of regulation on employment. EPA hopes that jobs lost from the asbestos industry will be offset by job gains in substitutes industries. Substitute products generally cost more than asbestos-containing products, and these costs will be passed on to consumers.

Related Regulations and Actions

External: To maximize the effectiveness of this proposed rule, EPA is coordinating either directly or through the Interagency Regulatory Liaison Group (IRLG) with the Occupational Safety and Health Administration (OSHA), the Consumer Product Safety Commission (CPSC), the Food and Drug Administration (FDA), the Mine Safety and Health Administration (MSHA), and the Department of Transportation (DOT).

EPA and CPSC both published ANPRM's on October 17, 1979 in the **Federal Register** (44 FR 60053). These ANPRM's were prefaced by a Joint Statement of Cooperation signed by the EPA Administrator and CPSC Chairman. The statement indicated how the two agencies will cooperate and direct their regulatory efforts to minimize reporting requirements and other burdens on industry, and to improve overall public health. EPA is planning to promulgate a rule under § 8(a) of TSCA to require manufacturers and processors of asbestos fibers to submit economic and exposure information. EPA is also planning to promulgate a rule under § 8(d) of TSCA requiring industry to submit unpublished health and safety studies relating to asbestos. CPSC is planning to issue a general order requiring manufacturers and private labellers of some categories of consumer products to submit information on the use of asbestos in those products. CPSC will not require the submission of information already submitted to EPA.

OSHA plans to lower its workplace standard for asbestos exposure (8 hr. time weighted average) from 2f/cc (fibers per cubic centimeter) to 0.1 f/cc. This action is in response to a recommendation in April, 1980 by the joint National Institute for Occupational Safety and Health (NIOSH)—OSHA Asbestos Work Group that "a new occupational standard be promulgated which is designed to eliminate non-essential asbestos exposures, and which requires the substitution of less hazardous and suitable alternatives where they exist."

Past Regulations: CPSC—16 CFR Parts 1145, 1304, and 1305; OSHA—29 CFR Part 1910; FDA—21 CFR Parts 121, 128, 133, and 191; DOT—49 CFR Parts 170–189; MHSA—30 CFR Parts 55, 56, 57, and 71.

Internal: EPA has established National Emission Standards for Hazardous Air Pollutants for several asbestos sources under the Clean Air Act, 42 U.S.C. § 7401 *et. seq.* EPA is developing effluent guidelines regulating wastewater discharges of asbestos under the Federal Water Pollution Control Act, 33 U.S.C. § 1251 *et. seq.*, as amended in 1972 and 1977. It is also considering additional regulation of asbestos in drinking water under the Safe Drinking Water Act, 42 U.S.C. § 3006 *et.seq.*

The Agency is investigating the development of a rule to require surveys to determine whether asbestos hazards are present in public schools because of deteriorating insulation. EPA is also considering requiring appropriate corrective measures where it finds hazards. (See 44 FR 54676, Sept. 20, 1979). Other existing asbestos sources that the Agency may control in the future include public buildings where asbestos was used as an insulation or decorative material and merchant ships, where asbestos is widely used as insulation.

Past Regulations: EPA regulations directed specifically to asbestos are found in 40 CFR Part 61 (air) and Parts 129 and 427 (water).

Regulatory Analysis

EPA will prepare a regulatory analysis in accordance with Executive Order 12044.

Available Documents

ANPRM for Asbestos-Containing Materials in School Buildings, 44 FR 54676, September 20, 1979. ANPRM for Commercial and Industrial Use of Asbestos Fibers, 44 FR 60056, October 17, 1979. (Comment period extended, 44 FR 73127, December 17, 1979.)

(Chemical Hazard Warning Labels (40 CFR Parts 765 and 766)

Legal Authority

Toxic Substances Control Act, 15 U.S.C. §§ 2605(a)(3) and (c)(1); 15 U.S.C. §§ 2607(a)(1)(A) and (B), 15 U.S.C. § 2625(c).

Reason for Including This Entry

These regulations may have a significant impact on at least some segments of the chemical industry and may cause the industry initial costs of $100 million or more.

Statement of Problem

Industrial workers are exposed in their jobs to a large number of chemical substances and mixtures, many of which present health or safety hazards. Approximately 47,000 substances are

produced for commercial purposes. This number only accounts for *substances;* far more of the chemical products manufactured or imported for commercial purposes are *mixtures* composed of combinations of these substances. Existing data indicate that as many as 25 percent of these substances present health and/or safety hazards. Exactly how many of the estimated 300,000 chemical products—counting both substances and mixtures—are hazardous is not known.

Manufacturing industries employ approximately 20.5 million people; the chemical industry alone employs approximately 1.1 million, including professionals (such as chemists and chemical engineers) and a variety of production, maintenance and repair, and janitorial workers.

During production there are many opportunities for workers to be exposed to hazardous chemicals. Exposure may occur as workers maintain and repair industrial systems; as they handle raw materials, intermediates, and finished products; or an a result of breakdowns, lakes, and spills. Workers also may be exposed continuously to airborne concentrations of hazardous chemicals.

In 1977 the National Institute of Occupational Safety and Health published the National Occupational Hazard Survey. The results indicated that approximately 7.5 million workers were exposed to trade-name products products containing at least one of approximately 400 substances that the Occupational Safety and Health Administration (OSHA) then regulated. Workers who were exposed experienced, on the average, exposures to seven hazards simultaneously (the survey recorded exposures to different substances or exposure to the same substance through different routes (e.g. inhalation and dermal contact) as distinct exposures).

The Bureau of Labor Statistics (BLS) reported approximately 168,000 new cases of occupational illness in 1976 and 162,000 in 1977. But under-reporting of occupational illness is a major problem, in part because the chemical causes of many acute and chronic occupational illnesses remain unrecognized. These BLS data indicate that 91,900, or 54.7 percent, of occupational illnesses in 1976 and 93,800, or 57.9 percent, of occupational illnesses in 1977, other than malignant or benign tumors, were caused directly by exposure to chemicals.

To deal with this problem, EPA is planning to promulgate a rule requiring manufacturers and importers of chemical substances and mixtures presenting acute health or safety hazards to label containers of these chemicals with warning statements and precautions for use. The Agency will simultaneously be promulgating a rule requiring similar labeling for carcinogenic substances and mixtures.

Some chemical manufacturers already place adequate hazard warning labels on containers of their products. EPA has reviewed a sample of labels that industry currently uses voluntarily and has found that many provide clear and comprehensive hazard information. In some cases, indeed, labels provide extensive information. However, many companies use labels that are incomplete, inconsistent, or inaccurate. These rules will make mandatory an activity that is now voluntary, and, in doing so, will ensure that all workers who are exposed to whemical hazards have access to information about these hazards and about the precautions they can take against them.

Alternatives Under Consideration

The principal alternatives to this rule that the Agency is considering are (1) taking no regulatory action, (2) using some method other than labeling to provide hazard warning information, and (3) limiting the scope of the labeling rules in some way.

Alternative 1, taking no regulatory action at this time, would benefit the chemical industry, in that the industry would incur no compliance costs. However, there would be no impetus for current labeling practices to improve, and there would be no corresponding improvement to workers' health and safety. The Agency would incur no cost, but would miss an opportunity to use its resources for a form of regulation that could produce continuing benefits at a relatively low annual cost to industry long after industry and the Agency have made the initial investment.

Alternative 2, requiring some form of hazard warning other than labels, breaks down into three separate alternatives: (a) Require manufacturers and importers to provide workers with material safety data sheets (MSDS) on each hazardous chemical; (b) require manufacturers and importers to provide workers with training about the hazards they may encounter from chemicals in the workplace; and (c) require manufacturers and importers to provide a combined program of worker training, MSDS's, workplace posting, and container labeling.

MSDS's can be very complete and can offer information that will be useful to management, occupational health specialists, and labor organizations, as well as to workers. But they do not offer immediate and easy-to-understand information to the worker at the site of potential exposure to a hazard. Without labeling as a supplement, the worker may not be able to connect a given container of a chemical with the specific MSDA containing the relevant information.

Training programs can be very useful in warning workers of chemical hazards. They can be tailored to a specific company's needs. But costs can be extremely high, especially to small companies, and the costs of a federally mandated program, which would need to require a perhaps undesirable degree of standardization in training programs, would be even higher. An additional disadvantage is that the benefits of a training program would be lost without the kind of written reinforcement that labels and MSDS's would provide.

A combined program of container labels, MSDS's, workplace posting, and worker training programs would provide the most complete hazard warnings by combining the advantages of several information sources while avoiding the disadvantages that would result from using any one of them in isolation. However, the cost of such a comprehensive program, both to industry and the Agency, would be prohibitive.

The Agency has decided to require container labeling, because it provides an immediate source of hazard information at the site of exposure to chemicals in the workplace, at a relatively low cost. This approach as the same focus as current industry practice, and workers are familiar with systems of labeling on which the proposed rules are based.

Alternatives for the rules' scope of applicability are to have them apply to (a) all hazardous chemicals distributed in commerce, (b) chemical substances but not mixtures, (c) large volume chemicals only.

Alternative (a), applying the rules to all hazardous chemicals distributed in commerce, is the Agency's choice.

Alternative (b) has the advantage that it would be easier for industry to comply with the rules. It would eliminate the difficulties of determining the hazards of mixtures, and it would apply to a much smaller set of chemicals. In addition, current voluntary industry standards already cover far more chemical products than would be covered by rules with such a narrowed scope. For these reasons, the Agency believes that to narrow the scope of the rules in this way would result in virtually meaningless rules.

Alternative (c) is to have the rules apply only to large volume chemicals. A relatively small number of chemicals accounts for a large percentage of the

production volume. But because many of these are produced by automated processes which reduce human exposure, these large volume chemicals may not account for most of the worker exposure to chemical hazards. In addition, while each incident of exposure might be small, the number of exposed individuals is still large. To limit the scope of the rules in this way would lower the cost considerably, but would probably not reduce worker exposure enough to justify it.

The proposed rules as they are presently written provide substantial flexibility, so that companies which are essentially in compliance now need not redesign their labels. Compliance will be on a phased schedule, so that the industry may take advantage of information it develops for substances in developing information for mixtures. Since mixtures are composed of combinations of substances, the rules will require manufacturers of substances to comply earlier than manufacturers of mixtures. The rules will require recordkeeping to document industry decisions to label or not to label a given product.

These rules require the disclosure of information, and in this respect employ an innovative regulatory technique. When information about the hazards of chemicals in the workplace is widely available to workers and to occupational health specialists, they may modify their behavior accordingly and thus eliminate the necessity, in some cases, for more restrictive forms of regulatory action.

Summary of Benefits

Sectors Affected: These regulations will benefit workers in most manufacturing industries.

The primary benefit of these labeling regulations will be to provide information to industrial workers,through labels supplied by the manufacturers of hazardous chemicals, about the hazards to which their work exposes them. The Agency expects that workers will use this information to protect themselves from injury and illness that may result from exposure to hazardous chemicals. The knowledge so gained should result in reduced exposure to chemical hazards and reduced occurrences of occupational injury and illness resulting from such exposure. A regulatory analysis is in progress. Even when it is complete, however, the benefits of these rules will not be altogether quantifiable.

The indirect benefits of the labeling regulations may be great. Once workers have adequate hazard information, they can work with management to control or eliminate most hazardous exposures. Companies that use chemicals may stop using the most hazardous of them, thereby creating incentives for the development of safer substitutes and/or better exposure controls for specific uses.

Summary of Costs

Sectors Affected: These regulations will directly affect most segments of the chemical industry.

Chemical companies will incur initial costs for developing information and designing labels. Ongoing costs will include the costs of producing the necessary number of labels for a given year's production and the administrative costs of recordkeeping and periodic updating of labels. The Agency awaits completion of its Regulatory Analysis for quantitative information on these costs.

Related Regulations and Actions

Internal: None.

External: The Occupational Safety and Health Administration (OSHA) of the Department of Labor will be proposing a rule requiring that labels on containers of hazardous chemicals in the workplace disclose the chemical identity of the contents.

Active Government Collaboration

EPA and the Occupational Safety and Health Administration have been coordinating the development of their respective labeling rules and will be proposing them in the **Federal Register** simultaneously.

Available Documents

None.

Effluent Limitations and Standards Controlling the Discharge of Pollutants From Iron & Steel Manufacturing Plants to Navigable Waterways and the Pretreatment of Wastewaters Introduced into Publicly Owned Treatment Works, 40 CFR Part 420.

Legal Authority

The Clean Water Act as amended, §§ 301, 304, 306, 307, and 501; 33 U.S.C. §§ 1311, 1314, 1316, 1317 and 1351.

Reasons for Including This Entry

The Environmental Protection Agency believes this regulation is important because it will provide control of discharges from the largest metal manufacturing industry in the United States. We expect it will have an annual effect on the economy of more than $100 million.

Statement of Problem

The Clean Water Act requires the Environmental Protection Agency (EPA) to promulgate regulations to control the discharge of pollutants into navigable waters and the introduction of pollutants into publicly owned treatment works (POTWs). These regulations must include effluent limitations representing the "best practicable technology" ("BPT"), the "best conventional technology" ("BCT"), and the "best available technology" ("BAT"), "new source performance standards" ("NSPS"), and pretreatment standards for facilities introducing wastewaters into POTWs.

We initially promulgated regulations for the iron and steel manufacturing industry on June 28, 1974 (Phase I or "steelmaking" operations), and on March 29, 1976 (Phase II or forming, finishing, and specialty steel segments). The U.S. Court of Appeals for the Third Circuit remanded the regulations for several reasons, including the Agency's failure to adequately consider (1) the impact of plant age on the cost or feasibility of retrofitting, (2) site-specific costs, (3) consumptive water use, (4) the economic condition of the industry, and (5) the achievability of certain limitations. (*AISI et al.* v. *EPA*, 526 F.2d 1027 (3d Cir. 1975) and *AISI et al.* v. *EPA*, 568 F.2d 284 (3d Cir. 1977).

We are developing new BPT regulations to replace the regulations remanded by the court. These regulations will reflect new information from industry surveys and sampling and will remedy the deficiencies found by the court. In addition, we are developing BCT and BAT regulations to control toxic pollutants, as required by the 1977 amendments to the Clean Water Act. We expect to publish a notice of proposed rulemaking (NPRM) in the **Federal Register** in December 1980 which will include effluent limitations and standards for the manufacturing operations covered by the 1974 and 1976 regulations.

The iron and steel manufacturing category (Standard Industrial Classification Codes (SIC) 3312, 3315, 3316, 3317 and parts of 3479) is comprised of approximately 650 manufacturing facilities nationwide. The amount of process water used by these facilities is estimated to be 6,272 million gallons per day. Because of those large flows, the quantity of pollutants discharged is very large, even though the concentration of pollutants in a waste stream sometimes may be relatively small.

During its sampling program, EPA detected in iron and steel manufacturing wastewaters significant levels of copper, chromium, cyanide, iron, nickel, lead, zinc, oil and grease, ammonia, sulfide, fluoride, and suspended solids. Additionally, the Agency found a wide variety of organic materials including benzene, phenols, and aromatic

compounds in wastewaters from coke manufacturing, in blast furnaces which use the coke, and in cold rolling operations. The heavy metals may produce cumulative toxic effects and many of the organic compounds are known or suspected carcinogens.

Alternatives Under Consideration

The Agency is evaluating the capabilities and costs and various wastewater treatment technologies for controlling pollutant discharges from iron and steel manufacturing facilities. A primary focus of this effort is to promulgate regulations to control the discharge of toxic pollutants.

The technologies for the control of wastewater pollutants include both end-of-pipe treatment and methods to reduce water usage. End-of-pipe treatment, best applied after recycle to reduce wastewater volumes, includes, where appropriate, cyanide oxidation, hexavalent chromium reduction, metals precipitation, oil removal, suspended solids (including precipitated metals) removal, and chemical and biological destruction of ammonia and toxic organic materials. While there is some variation in options between the segments of the industry, the options outlined below are generally applicable to all iron and steel manufacturing facilities.

Option A includes in-process controls to reduce water flows, metals precipitation (if not already required by BPT), and filtration. This option also includes extended biological treatment of coke plant wastes.

Option B includes sulfide precipitation of metals prior to filtration. Coke plants would add powdered activated carbon to the extended biological treatment system.

Option C includes advanced treatment such as evaporation to achieve zero discharge, and chemical oxidation of blast furnace wastewaters to reduce discharges of ammonia and organic pollutants.

In evaluating options for this regulation now under development, we considered all of the important factors including the quantity and type of pollutants generated by each wastewater source; the treatment technologies available for application to that wastewater source; air, solid waste, energy, and other non-water quality environmental aspects of the proposed regulation; and the cost and economic impact of applying each of the several options.

We are still gathering additional information on costs and on the availability and effectiveness of technologies. We have not at this time selected the options we will propose, although we think that options which reduce the discharge of water to the maximum extent are the most environmentally acceptable.

Summary of Benefits

The major benefit of the regulation we will propose will be the reduction of toxic pollutant discharges from iron and steel manufacturing facilities. The quantity of pollutants removed from discharges to the environment under this regulation will vary depending on the various options selected. The Agency estimates that through compliance with the BPT regulation the industry will remove approximately 3.4 million pounds per year of toxic organics, 5.8 million pounds per year of toxic metals, and 176 million pounds per year of suspended solids, oil and grease, ammonia, and other pollutants. Options A, B or C will reduce BPT process wastewater volumes from about 2,600 million gallons per day (mgd) to about 300 mgd. Option A will reduce BPT pollutant discharge loads by about 85 to 90 percent. Options B and C will provide some additional but less dramatic removals of pollutants.

Summary of Costs

Sectors Affected: This regulation would directly affect establishments engaged in the manufacture of iron and steel products. It would indirectly affect consumers of these iron and steel products as the industry passes the resultant small price increases on to them.

We are continung to refine the cost data for the various options. We are also considering the cost effectiveness of requiring different levels of treatment for the various operations. As an approximation of the costs of compliance, the capital investment for the BAT regulatory options range from about $600 million above BPT for Option A to over $1 billion for Option C in 1978 dollars. We do not expect these costs to result in a substantial decrease in steel production or increase in steel costs. However, some shifts in production from marginal plants to more efficient plants will likely continue to occur as the industry strives to become more competitive with foreign producers.

Related Regulations and Actions

Internal: The Agency is reviewing the interaction between this regulation and air pollution and solid waste disposal requirements. As an example, we are evaluating the possible disposal of blowdown from blast furnace wastewater recycle systems by evaporation in slag pits. This is being coordinated with air programs.

In addition, in evaluating wastewater treatment alternatives, the Agency is considering, to the extent possible, the requirements and costs for the management of solid wastes under the Resource Conservation and Recovery Act.

External: This regulation will set minimum requirements on a national level which supersede less stringent state or local regulations. However, all levels of government may require more stringent limitations in specific instances if water quality criteria or other requirements so justify.

Available Documents

The applicable documents currently available are:

(a) EPA–440/1–74–024–a, *Development Document for Effluent Limitations Guidelines and New Source Performance Standards for the Steelmaking Segment of the Iron and Steel Manufacturing Point Source Category* (June 1974); and

(b) EPA 440/1–79/024–a, *Development Document for Proposed Effluent Limitations Guidelines and Standards for the Iron and Steel Manufacturing Point Source Category,* Volumes I through IX, (October 1979).

Copies of the June 1974 report are available from the National Technical Information Service; Springfield, VA. The accession number is PB 238–837 and the cost is $24.80 per copy. The October 1979 report may be obtained through the EPA contact designated below.

Effluent Limitations Guidelines and Standards Controlling the Discharge of Pollutants From Steam Electric Power Plants, 40 CFR Part 423.

Legal Authority

The Clean Water Act, §§ 301, 304, 305, 306, 307, 311, 402, and 504, 33 U.S.C. §§ 1311, 1314, 1316, 1317, 1318, 1321, 1364, 1346. Executive Order 12044 requires a Regulatory Analysis for major and significant regulations involving annualized compliance costs of $100 million, or meeting other specified criteria, 44 FR 30988 (May 29, 1979).

Statement of Problem

The Environmental Protection Agency (EPA), under the statute cited above, is required to develop technology based effluent limitations guidelines and standards to control pollutant discharges from the steam electric power generating industry, and review these regulations once every five years. We initially promulgated effluent limitations guidelines for this industry

on October 8, 1974. The U.S. Court of Appeals for the Fourth Circuit remanded parts of the guidelines (*Appalachian Power* v. *Train*, 545 F. 2d 1351 (4th Cir. 1976)). The court found the record insufficient with respect to various technical aspects and non-water quality considerations (especially cost data and ultimate disposal of wastes).

We are reviewing the 1974 regulations to reflect updated information and remedy the deficiencies pointed out by the Fourth Circuit Court of Appeals. In addition to the pollutants examined in the previous regulations, we are expanding the review to include toxic substances cited in the June 8, 1976 Consent Decree, *Natural Resources Defense Council et al. v. Train*, 8 ERC 2120 (D.D.C. 1976). We expect to publish the NPRM in the **Federal Register**, July, 1980. We will not include guidelines for thermal discharges in these regulations. The Agency is still considering various thermal options in light of *Appalachian*.

The steam electric generating industry is composed of approximately 1,000 generating plants nationwide. These plants have extremely large discharge flows, therefore the quantity of pollutants they discharge is substantial even though the concentration is relatively low. Pollutants detected in significant quantities in the wastewaters of steam electric plants during an EPA sampling program were total residual chlorine, copper, zinc, nickel, chromium, arsenic and trihalomethanes.

Alternatives Under Consideration

The Agency is considering several wastewater treatment technologies for controlling pollutant discharges from steam electric plants to the Nation's waterways. The primary focus of this effort is to control the discharges of toxic substances. We have determined that cooling water and ash transport water from power plants are the major contributors of toxics. With cooling water, the Agency is concerned about the discharge of pollutants resulting from the use of chlorine and other chemical additives. Technology options for controlling pollutant discharges from this waste stream include end-of-pipe treatment (such as dechlorination) and management practices (such as using alternative chemicals).

For ash transport water (defined below), the Agency is concerned with the discharge of inorganic toxic substances. The control technologies that the Agency has evaluated include: (1) methods of ash transport without the use of water; (2) complete recirculation; (3) partial recirculation; and (4) end-of-pipe treatment.

In evaluating the options for regulation development, we considered several important factors, including the quantity and type of pollutants each wastewater source discharges; treatment technologies that are available for the control of these wastewaters; the air and solid wastes that the wastewater treatment systems may produce; and the cost of these systems.

The various technologies under consideration for waste streams other than ash transport water have minimal economic impact. However, ash transport pollutant control technologies may cause major economic impact for smaller size facilities. These pollutants enter the water because coal or oil that is burned in a steam electric plant's boiler produces varying amounts of ash that require periodic collection and disposal. Some relatively fine and light-weight ash is carried from the boiler with the flue gases and collected with air pollution control equipment. This type of ash is called "fly ash". The relatively bulky and heavy ash that settles at the bottom of the boiler's furnace is called "bottom ash". These two types of ash can be transported wet or dry to their ultimate or temporary disposal sites. Only those plants that transport their ash water using water would be affected by these regulations. The advantages and disadvantages associated with the control options for ash transport water are given below because of their potentially significant economic impact.

Fly Ash

We are considering three technological options for developing effluent guidelines in steam electric plants. The first option requires zero discharge of water used for fly ash transport. The technology for achieving this option is to use transport methods that do not require the use of water (dry transport). The advantages to this option are that the technology is demonstrated and available, and it will eliminate the discharge of toxic metals. The disadvantage is that the cost is high, especially for existing plants.

The second option requires recycling and reuse of the ash transport water. The advantage is that it will reduce toxic pollutants in both their suspended and, to a lesser degree, their dissolved form. However, data are not available yet to determine the degree of recirculation that is possible.

As a third option, the Agency is considering adding a further requirement to the second option that will reduce arsenic from fly ash transport water to 0.05 mg/l, through coagulation and lime precipitation. The advantage of this treatment is that it would be required only of those plants with high levels of arsenic. Since this technology is not used currently in steam electric plants for this wastewater stream, the Agency would be required to use data from other industries to determine the effluent concentration that is achievable.

Bottom Ash

There are two technological options under consideration for bottom ash transport water, including a zero discharge option. The zero discharge option can be achieved through complete reuse/recycling of the ash sluice water or by using transport methods that do not require water. This option will remove competely all toxics in both their dissolved and suspended forms. The other technological option under consideration is partial recirculation of bottom ash transport water. This will remove suspended toxic metals and a limited amount of dissolved metals, although technology for further removal of dissolved metals is available.

We are still gathering additional information on the costs and availability of the technologies. We have not selected the option for proposal, although The Clean Water Act requires regulations "which will result in reasonable further progress toward the national goal of eliminating the discharge of all pollutants", Section 301(b)(2)(A).

Summary of Benefits

The major benefit of the proposed rule will be improvement of the aquatic environment through the reduction and/or elimination of discharges from steam electric generating facilities containing toxic compounds, primarily total residual chlorine and metals. A rough estimate of the quantity of inorganic toxics that the zero discharge option for fly ash would remove is 2,876 lb/day for existing plants and 1,192 lb/day for new plants. The zero discharge option for bottom ash sluice water would remove an estimated 1,131 lb/day of priority pollutants for existing plants and 477 lb/day for new plants.

Sectors Affected: Regulations controlling pollutant discharges would affect manufacturers of anti-pollution equipment.

Summary of Costs

On a national basis, an estimate of the total capital expenditures required to bring existing plants into compliance with the proposed regulations for the period 1980–1985 is approximately $3.31

billion. This represents about 1.5 percent of the total anticipated capital expenditures for the industry during the same period. With the addition of operation and maintenance costs, this means that the average electric bill for consumers would increased by approximately 0.5 percent. None of these requirements is expected to cause plant closings; however, the impact on smaller existing plants can be significant. The Agency is currently updating the cost data and is considering exempting smaller plants from the zero ash water discharge requirement based on economic impacts.

Sectors Affected: These guidelines would directly affect establishments engaged in the generation, transmission, and/or distribution of electric energy for sale. They would also indirectly affect users of electric power through rate increases.

Related Regulations and Actions

Internal: The scrubber systems used to comply with air pollution regulations may discharge contaminated water. The proposed requirements of the New Source Performance Standards under § 111 of the Clean Air Act will increase the number of facilities with scrubber systems in the future.

Section 316(b) of the Clean Water Act authorizes the Agency to require the best technology available in the location, design, construction, and capacity of intake structures for cooling water, to minimize adverse environmental impact.

Requirements for the management of solid wastes under the Resource Conservation and Recovery Act may affect the economic and environmental factors associated with various wastewater treatment technologies.

External: The recent emphasis on converting oil-fired power plants to other fuel types and the problems associated with nuclear waste disposal will affect the distribution of generating capacity by fuel types in the industry and, therefore, the amount of pollutants that would be discharged and controlled.

Active Government Collaboration

The Nuclear Regulatory Commission, the Department of Interior, and the Department of Energy have provided assistance by supplying the Agency with informaton and/or reviewing materials.

Available Documents

The Final Development Document for Effluent Limitations Guidelines and New Source Performance Standards for the Steam Electric Power Generating Point Source Category, EPA (October, 1974) [National Technical Information Service (NTIS) Number PB-240853/P5];

Supplement for Pretreatment to the Development Document for the Steam Electric Power Generating Point source Category, EPA (April 1977) [EPA 440/1-77/084]; and

Technical Report for the Revised Effluent Limitations Guidelines for the Steam Electric Power Generating Point Source Category, EPA (Sepember 1978).

Copies of the above reports can be obtained from NTIS or the EPA contact designated below.

Effluent Limitations Guidelines and Standards Controlling the Discharge of Pollutants From Pulp, Paper, and Paperboard Mills Into Navigable Waterways (40 CFR Parts 430* and 431*)

Legal Authority

The Clean Water Act, §§ 301, 304, 306, 307, 308, and 501; 33 U.S.C. §§ 1311, 1314, 1316, 1317, 1318, and 1361.

Reasons for Including This Entry

The Environmental Protection Agency thinks that this rule is important because it will have an annual effect of $100 million or more on the economy.

Statement of Problem

The Environmental Protection Agency (EPA) is required under the statue cited above to develop technology-based effluent limitations guidelines and standards for discharges into navigable waterways and review such guidelines and standards at least every five years. EPA promulgated effluent limitations guidelines reflecting the best practicable control technology currently available (BPT) and the best available technology economically achievable (BAT) and new source performance standards (NSPS) for six subcategories of the industry on May 9 and 29, 1974 (39 FR 16578, 40 CFR Part 431; and 39 FR 1872, 40 CFR Part 430). EPA promulgated BPT guidelines for the sixteen remaining subcategories of the industry on January 6, 1977 (42 FR 1398, 40 CFR Part 430).

The Clean Water Act of 1977 requires industry to achieve by July 1, 1984, effluent limitations requiring application of BAT for those pollutants which Congress declared "toxic" under § 307(a) of the Act. In addition to the emphasis on toxic pollutants reflected by BAT, the Act requires industry to achieve by July 1, 1984, "effluent limitations requiring the application of the best conventional pollutant control technology" (BCT) for the regulation of conventional water pollutants (biochemical oxygen demand, suspended solids, fecal coliform, oil and grease, and pH). All pollutants that are not either toxic or conventional have been termed "non-conventional" and are subject to regulation under the best available technology economically achievable (BAT).

EPA expects to publish proposed effluent limitations guidelines for BAT, BCT, new source performance standards (NSPS) and pretreatment standards for existing and for new sources (PSES, PSNS) in the Federal Register, September 1980.

EPA estimates that there are 700 operating pulp, paper, and paperboard mills in the United States which discharge about 4.2 billion gallons per day of wastewater. Toxic and non-conventional pollutants of concern detected in the industry's wastewaters during an EPA sampling program were 2,4,5,-trichlorophenol, 2,4,6-trichlorophenol, pentachlorophenol, chloroform, ammonia, and zinc. Conventional pollutants routinely monitored in discharges from pulp, paper, and paperboard mills include biochemical oxygen demand, suspended solids, and pH.

Alternatives Under Consideration

The Agency is considering various wastewater treatment technologies for controlling toxic, non-conventional, and conventional pollutant discharges from the pulp, paper and paperboard industry to the Nation's waterways. Toxic and non-conventional pollutants will be regulated under the best available technology economically achievable (BAT), new source performance standards (PSNS), pretreatment standards for existing sources (PSES), and pretreatment standards for new sources (PSNS). Conventional pollutants will be regulated under the best conventional pollutant control technology (BCT) and "new source performance standards" (NSPS).

In evaluating the options for development of regulations, the Agency considers several important factors, including the quantity and type of pollutants each wastewater source discharges, treatment technologies that are available for the control of these wastewaters, the air pollution and solid wastes that the wastewater treatment systems may produce, and the cost of these systems.

The Agency, through its sampling and data gathering efforts, has determined that existing biological treatment systems are very effective in removing most priority pollutants found in pulp, paper, and paperboard industry wastewaters. Several toxic pollutants were detected with sufficient frequency and/or at sufficient levels to concern us

and we are considering them as candidates for control under BAT and pretreatment regulations. The pollutants of concern and the options being considered to ensure their control under BAT are described below.

Pentachlorophenol, 2,4,5,-trichlorophenol, and 2,4,6-trichlorophenol (toxic pollutants) were found in treated effluents in many subcategories of the industry. These compounds are present in certain of the slimicide and fungicide formulations used in the pulp, paper, and paperboard industry. The best and least expensive method for control of these pollutants is the substitution of these slimicides and fungicides with formulations that do not contain pentachlorophenol, 2,4,5-trichlorophenol, or 2,4,6-trichlorophenol.

Chloroform (a toxic pollutant) was found in very high concentrations (up to 10 milligrams per liter) in raw wastewaters from mills producing bleached pulps. Biological treatment systems are capable of removal of chloroform to low levels (less than 0.1 milligrams per liter). The Agency is considering establishing BAT effluent limitations guidelines and NSPS based on those levels of chloroform attained through the application of biological treatment.

Zinc (a toxic pollutant) was found in wastewaters from facilities using zinc hydrosulfite as a bleaching chemical. The Agency is considering establishing BAT effluent limitations guidelines, NSPS, and pretreatment standards based on the substitition of zinc hydrosulfite with sodium hydrosulfite.

Ammonia (a non-conventional pollutant) is discharged from facilities using ammonia-based pulping processes. The Agency is considering establishing BAT effluent limitations and NSPS based on either a substitution to a different chemical base or on the application of additional end-of-pipe treatment.

Conventional pollutants currently regulated include: biochemical oxygen demand (BOD), total suspended solids (TSS) and pH. The Agency is considering three options under BCT to reduce the discharge of BOD and TSS from pulp, paper, and paperboard mills:

Option 1 includes the addition of in-plant production process controls to reduce raw wastewater flow and BOD to the existing BPT treatment system.

Option 2 includes the reduction of BOD and TSS to levels typical of best performing mills. This option may require expansion or upgrading of existing end-of-pipe treatment systems at many mills in the pulp, paper, and paperboard industry.

Option 3 includes the application of chemically assisted clarification in addition to the technology considered as the basis of Option 1.

The Agency is still developing information on the costs and capabilities of the three technology options.

Summary of Benefits

Sectors Affected: Establishments engaged in the production of pulp, paper, and paperboard; consumers of pulp, paper, and paperboard products.

The major benefit of the proposed rule will be the reduction or elimination of toxic, non-conventional, and conventional pollutant discharges from pulp, paper, and paperboard mills. The discharge of 2,4,5-trichlorophenol, 2,4,6-trichlorophenol, pentachlorophenol, and zinc would be virtually eliminated and the discharge of chloroform and ammonia would be greatly reduced.

The discharges of BOD and TSS from pulp, paper, and paperboard mills will be substantially reduced by the following amounts dependent upon the option seleced as the basis of BCT regulations:

BOD: Option 1—18 percent, Option 2—40 percent, Option 3—50 percent

TSS: Option 1—18 percent, Option 2—45 percent, Option 30—80 percent

The current discharge of one million pounds per day of BOD from pulp, paper, and paperboard mills accounts for about 45 percent of the total industrial contribution of BOD. Therefore, these additional reductions represent a significant portion of current conventional pollutant discharge to the Nation's waterways.

Summary of Costs

Sectors Affected: Establishments engaged in the production of pulp, paper, and paperboard; consumers of pulp, paper, and paperboard products.

The Agency is currently refining cost data for the various technology options. It is expected that, with the exception of ammonia removal options, the BAT, PSES, and PSNS technology options will have an insignificant impact on the pulp, paper, and paperboard industry. It is likely that large capital expenditures will be necessary at the nine pulp mills using ammonia-based cooking liquors should we establish limitations for the control of ammonia.

The Agency has made preliminary estimates of the capital costs (1978 dollars) for all U.S. pulp, paper, and paperboard mills to attain levels of BOD and TSS associated with the BCT technology options. They are: Option 1—$.83 billion, Option 2—$1.2 to 1.9 billion, and Option 3—$2.2 billion.

Related Regulations and Actions

Internal: Requirements for the management of solid wastes under the Resource Conservation and Recovery Act may affect the cost of installation and operation of various wastewater treatment technologies.

Active Government Collaboration

The Department of Commerce has provided assistance by reviewing materials.

Available Documents

Development Document for Effluent Limitations Guidelines and New Source Performance Standards for the Unbleached Kraft and Semichemical Pulp Segment of the Pulp, Paper, and Paperboard Mills Point Source Category, EPA (May 1974) [National Technical Information Service (NTIS) Number PB-238 833].

Development Document for Effluent Limitations Guidelines (BPCTCA) for the Bleached Kraft, Groundwood, Sulfite, Soda, Deink and Non-Integrated Paper Mills Segment of the Pulp, Paper, and Paperboard Point Source Category, EPA (December 1976) [Available for review at EPA Headquarters Library].

Preliminary Data Base for Review of BATEA Effluent Limitations Guidelines, NSPS, and Pretreatment Standards for the Pulp, Paper, and Paperboard Point Source Category, prepared for the U.S. Environmental Protection Agency by the Edward C. Jordan Co., Inc., Portland, Maine (June 1979) [Available for review at EPA Headquarters and Regional Libraries only].

Appendix II—Regulations Screened for Review

Executive Order 12044 requires agencies to establish procedures to review existing regulations. EPA responded by creating a screening process in which work group members assessed regulations under eight criteria, including estimated costs, benefits, reporting burdens, and clarity of language. Each work group then made one of four recommendations:

- No further review
- Short-term revision
- Long-term review
- Eliminating the regulation

Recommendations for long-term review usually followed a finding that there was a lack of sufficient data to evaluate the regulation. Work groups usually recommended short-term revision when there was a need to clarify the meaning of the regulation either by a rewrite, reorganization, or an updating of definitions. Work groups recommended eliminating a regulation

when it was obsolete technically or was replaced by a new program.

The Agency has begun to implement several of these recommendations. Program offices are preparing schedules for revising the remaining regulations. EPA will publish later this summer a schedule for implementing these revisions.

The following table lists the recommendations for each of the regulations screened. The first column lists, the title and *Code of Federal Regulations* (CFR) citation of the regulation. The second column contains the recommended action.

Regulation/CFR Citation	Recommendation
Air	
Air Quality Control Regions, Criteria, and Control Techniques, 40 CFR 81, A–D.	No further review.
NESHAPS General Provisions, 40 CFR 61, A.	Short-term revision.
Requirements for Preparation, Adoption, and Submittal of Implementation Plans, 40 CFR 51.	Short-term revision.
Approval & Promulgation of Implementation Plans, 40 CFR 52.	Short-term revision.
NESHAPS 40 CFR 61:	
—Asbestos (Subpart B)	Long-term review.
—Beryllium (Subpart C)	Long-term review.
—Beryllium Rocket Motor Firing (Subpart D).	Long-term review.
—Mercury (Subpart E)	Long-term review.
Fuel Ecomony of Motor Vehicles, 40 CFR 600.	Eliminate.
Noise	
Interstate Rail Carrier Noise Control, 40 CFR 201.	Revised under court order.
Noise Emission Standard-Portable Air Compressors, 40 CFR 204.1.	No further review.
Interstate Motor Carrier Noise Control, 40 CFR 202.	Short-term revision.
Medium & Heavy Truck Noise Control, 40 CFR 205.	Short-term revision.
Pesticides	
Emergency Exemptions, 40 CFR 166.	No further review.
Disposal and Storage of Pesticides, 40 CFR 165.	No further review.
Establishment Registration, 40 CFR 167.	Short-term revision.
Books and Records, 40 CFR 169.	Short-term revision.
Registration, Registration CFR 162.	Short-term revision.
Rules of Practice, 40 CFR 164.	Short-term revision.
Assessment of Civil Penalties, 40 CFR 168.	Short-term revision.
Worker Protection Standards, 40 CFR 170.	Short-term revision.
Certification of Pesticide Applicators, 40 CFR 171.	Long-term review.
Tolerances, 40 CFR 180	Long-term review.
Experimental Use Permits, 40 CFR 172.	Eliminate.
Radiation	
Environmental Protection Standards for Nuclear Power Operations, 40 CFR 190.	No further review.
Radiation	
Federal Regulation Guides for Underground Uranium Miners, EO 10831; PL–86–373.	Long-term review.
Solid Waste	
Guidelines for Land Disposal Solid Wastes, 40 CFR 241.	No further review.
Prior Notice of Citizen Suits, 40 CFR 254.	No further review.
Materials Recovery, Solid Waste Management Guidelines for Source Separation, 40 CFR 246.	Short-term revision.
Guidelines for Beverage Containers, 40 CFR 244.	Short-term revision.
Amendments to Interim Grant Regulation To Implement RCRA, 40 CFR 30, 35, 40, 45.	Short-term revision.
Guidelines on Solid Waste Collection and Storage, 40 CFR 243.	Eliminate.
Resource Recovery Facilities, 40 CFR 245.	Eliminate.
Identification of Regions and Agencies for Solid Waste Management, 40 CFR 255.	Eliminate.
Water Quality	
Toxic Pollutant Effluent Standard, 40 CFR 129.	No further review.
Marine Sanitation Device Standard, 40 CFR 140.	No further review.
Effluent Guidelines General Provisions, 40 CFR 401.	Short-term revision.
Hospital Effluent Guidelines Provisions, 40 CFR 460.	Short-term revision.
Discharge to Aquaculture Projects, 40 CFR 115.	Long-term review.

[FR Doc. 80–19469 Filed 6–27–80; 8:45 am]

BILLING CODE 6560–01–M